Volume 92 of 111
(Accused Copy)

VERBATIM [1]

RECORD OF TRIAL [2]

(and accompanying papers)

of

MANNING, Bradley E.	[redacted]	PFC/E-3
(Name: Last, First, Middle Initial)	*(Social Security Number)*	*(Rank)*
Headquarters and Headquarters Company, United States Army Garrison	U.S. Army	Fort Myer, VA 22211
(Unit/Command Name)	*(Branch of Service)*	*(Station or Ship)*

By

GENERAL **COURT-MARTIAL**

Convened by Commander
(Title of Convening Authority)

UNITED STATES ARMY MILITARY DISTRICT OF WASHINGTON
(Unit/Command of Convening Authority)

Tried at

Fort Meade, MD on *see below*
(Place or Places of Trial) *(Date or Dates of Trial)*

Date or Dates of Trial:

23 February 2012, 15-16 March 2012, 24-26 April 2012, 6-8 June 2012, 25 June 2012, 16-19 July 2012, 28-30 August 2012, 2 October 2012, 12 October 2012, 17-18 October 2012, 7-8 November 2012, 27 November - 2 December 2012, 5-7 December 2012, 10-11 December 2012, 8-9 January 2013, 16 January 2013, 26 February - 1 March 2013, 8 March 2013, 10 April 2013, 7-8 May 2013, 21 May 2013, 3-5 June 2013, 10-12 June 2013, 17-18 June 2013, 25-28 June 2013, 1-2 July 2013, 8-10 July 2013, 15 July 2013, 18-19 July 2013, 25-26 July 2013, 28 July - 2 August 2013, 5-9 August 2013, 12-14 August 2013, 16 August 2013, and 19-21 August 2013.

1 *Insert "verbatim" or "summarized" as appropriate. (This form will be used by the Army and Navy for verbatim records of trial only.)*

2 *See inside back cover for instructions as to preparation and arrangement.*

Quantico, VA 22134

BRIG FAX:
(703)784-4242

From:	Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel <paul.r.bouchard@mnd-b.army.mil>
Sent:	Tuesday, August 3, 2010 1:50 PM
To:	Rose, Luke CPT USD-C SJA Chief, Military Justice <luke.rose@mnd-b.army.mil>
Cc:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Eaton, Michael L. CPT USD-C SJA/ATOS Officer <michael.l.eaton@mnd-b.army.mil>; Hurley, Thomas F MAJ MIL USA OTJAG <Thomas.fredrick.hurley@us.army.mil>
Subject:	RE: [U] US v. Manning (UNCLASSIFIED)

Thank you.
V/R
CPT Bouchard

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: Sweda, Michael G Dr CIV USA MEDCOM WRAMC <MICHAEL.SWEDA@US.ARMY.MIL>
Sent: Wednesday, August 4, 2010 12:10 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Hurley, Thomas F MAJ MIL USA OTJAG <Thomas.fredrick.hurley@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <Michael.eaton@iraq.centcom.mil>; luke.rose@mnd-b.army.mil
Subject: RE: RCM 706 Order (PFC Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Sir:

Will the sanity board members require any level of security clearance for this?

v/r,

Michael Sweda, Ph.D., ABPP (Forensic)
Board-Certified Forensic Psychologist
Chief, Forensic Psychology Service
Director, Forensic Psychology Fellowship Walter Reed Army Medical Center
202-782-5899
202-782-7165 (fax)
202-538-5731 (business blackberry)
301-717-3416 (personal mobile)

"The United States themselves are essentially the greatest poem.
Past and present and future are not disjoined but joined."

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, August 04, 2010 12:15 PM
To: Sweda, Michael G Dr CIV USA MEDCOM WRAMC
Cc: Hurley, Thomas F MAJ MIL USA OTJAG; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; luke.rose@mnd-b.army.mil; Morrow, JoDean CPT MIL USA
Subject: RE: RCM 706 Order (PFC Manning) (UNCLASSIFIED)

Sir,

I do not foresee the need; however I rather defer that answer to MAJ Hurley and the defense team. There is one caveat. A current protective order is in place and it does not authorize the disclosure of any of the classified information related to this case without affirmative authorization. So if there ends up being a need, although doubtful, then the Government will need to work to get an exception to the protective order.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, August 04, 2010 2:48 PM
To: 'Almanza, Paul'
Cc: 'Morrow, JoDean CPT MIL USA'; 'Haberland, John CPT MIL USA'; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; 'luke.rose@mnd-b.army.mil'; 'Hurley, Thomas F MAJ MIL USA OTJAG'; 'paul.r.bouchard@mnd-b.army.mil'; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA; Egan, Michael CIV JFHQ-NCR/MDW SJA
Subject: Article 32 Appointment (PFC Manning)
Attachments: Art 32 Appointment Memo (ManningB).pdf; Charge Sheet (ManningB).pdf; ERB (ManningB).pdf

Importance: High

LTC Almanza,

Good afternoon. The Garrison Commander, Joint Base Myer-Henderson Hall (SPCMCA) appointed you the Article 32 Investigating Officer in the case of PFC Manning. Attached are your appointment orders, the current charge sheet, and an ERB. Below is a list of the key members of the Government and Defense teams, along with your support staff and everyone is on this email. This list is still fluid and will likely change, to include security officers. Because of the sensitive nature of this case, I request that we limit the email list to these persons, until more formal "teams" are established.

Government Counsel
CPT Ashden Fein (OIC)
CPT Joe Morrow (TC)
CPT John Haberland (TC)
CPT Luke Rose (TC-Iraq)

Defense
CPT Paul Bouchard (SDC-Iraq)
CPT Michael Eaton (DC-Iraq)
MAJ Thomas Hurley (DC-Local)

Justice Staff
SGT Sara Zimmerman (27D-MDW)
Mrs. Carolyn Autry (Senior Paralegal-MDW)

Legal Advisor
Mr. Mike Egan

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
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COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: Almanza, Paul <Paul.Almanza@usdoj.gov>
Sent: Wednesday, August 4, 2010 6:11 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow, JoDean CPT MIL USA <jodean.morrow@us.army.mil>; Haberland, John CPT MIL USA <john.haberland@us.army.mil>; Zimmerman, Sara J. SGT USA JFHQ-NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; luke.rose@mnd-b.army.mil; Hurley, Thomas F MAJ MIL USA OTJAG <Thomas.fredrick.hurley@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Egan, Michael CIV JFHQ-NCR/MDW SJA <Michael.Egan@jfhqncr.northcom.mil>
Subject: RE: Article 32 Appointment (PFC Manning)

CPT Fein -

Thank you. Just to make you all aware. CPT Fein and I briefly spoke yesterday about my availability to be appointed as the IO and exchanged contact information.

I'll touch base with Mr. Egan tomorrow and expect to be in touch tomorrow more substantively.

Thanks.

LTC Almanza
(202) 616-2250 (w)
(202) 262-6453 (c)

From: Hurley, Thomas F MAJ MIL USA OTJAG [Thomas.fredrick.hurley@us.army.mil]
Sent: Thursday, August 05, 2010 2:24 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Sweda, Michael G Dr CIV USA MEDCOM WRAMC
Cc: paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; luke.rose@mnd-b.army.mil; Morrow, JoDean CPT MIL USA
Subject: RE: RCM 706 Order (PFC Manning) (UNCLASSIFIED)
Signed By: thomas.fredrick.hurley@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

Dr. Sweda/CPT Fein

There is no need for the members of the board to have a security clearance. I will speak with PFC Manning tomorrow about the board and ensure that his answers to your questions do not include any classified information. If he feels he must disclose classified information, then he will let you know that there is more that he wants to say but cannot. CPT Fein and I will then seek an exception to the current order.

v/r
Thomas F. Hurley
MAJ, JA
703.696.1923 (phone)

From: Hurley, Thomas F MAJ MIL USA OTJAG [Thomas.fredrick.hurley@us.army.mil]
Sent: Thursday, August 05, 2010 7:49 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Cc: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney
Subject: 706 Board Results in US v. Manning (UNCLASSIFIED)
Signed By: thomas.fredrick.hurley@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

CPT Fein

Would you have an objection to allowing me (or whoever the stateside DC is at the time) the opportunity to view both the "government" results as well as the "defense" results prior to the TC? I just want to avoid the accidental disclosure of "defense" information in the "government" report. I would be happy to have a minimal amount of time to make an objection (30 minutes would suffice). I've seen it happen before, and I just want to avoid any problems.

Thanks.

Thomas F. Hurley
MAJ, JA
Acting Chief, US Army Defense Counsel Assistance Program
Thomas.fredrick.hurley@conus.army.mil (work email)
hurleytho@gmail.com (iPhone email)
703.696.1923 (office)
703.209.8061 (cell)
703.696.8419 (fax)

Classification: UNCLASSIFIED
Caveats: NONE

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, August 06, 2010 7:35 AM
To: Hurley, Thomas F MAJ MIL USA OTJAG
Cc: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Haberland, John CPT MIL USA; Rose, Luke CPT USD-C SJA Chief, Military Justice; Morrow, JoDean CPT MIL USA
Subject: RE: 706 Board Results in US v. Manning (UNCLASSIFIED)

Sir,

The Government does not have an objection; however if the defense ends up objecting, the Government would like to be notified of the objection to the Government Results and why the objection (generalities only).

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
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CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Sweda, Michael G Dr CIV USA MEDCOM WRAMC <MICHAEL.SWEDA@US.ARMY.MIL>

Sent: Friday, August 6, 2010 3:04 PM

To: Hurley, Thomas F MAJ MIL USA OTJAG <Thomas.fredrick.hurley@us.army.mil>; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>

Cc: paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; luke.rose@mnd-b.army.mil; Morrow, JoDean CPT MIL USA <jodean.morrow@us.army.mil>; Lange, Christopher L LTC MIL USA MEDCOM WRAMC <christopher.lange1@us.army.mil>; Montalbano, Paul Dr CIV USA <paul.montalbano1@us.army.mil>; Malone, Ricky D COL MIL USA MEDCOM WRAMC <RICKY.MALONE@US.ARMY.MIL>

Subject: RE: RCM 706 Order (PFC Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

CPT Fein:

I have consulted with LTC Christopher Lange, who is my counterpart as Director of the Forensic Psychiatry Fellowship, regarding the Manning case. We are in the process of assembling a team for the evaluation, and expect the direct evaluation piece (interview and testing) of this to be completed in two weeks. Generally, we ask for at least a six week suspense date for completion of a 706 report. In the case of PFC Manning, we would like to request a three month suspense from the date that he is first seen, to allow for a thorough evaluation.

Please feel free to call or e-mail if you have any questions.

v/r,

Michael Sweda, Ph.D., ABPP (Forensic)
Board-Certified Forensic Psychologist
Chief, Forensic Psychology Service
Director, Forensic Psychology Fellowship Walter Reed Army Medical Center
202-782-5899
202-782-7165 (fax)
202-538-5731 (business blackberry)
301-717-3416 (personal mobile)

"The United States themselves are essentially the greatest poem.
Past and present and future are not disjoined but joined."

From: Almanza, Paul <Paul.Almanza@usdoj.gov>

Sent: Friday, August 6, 2010 5:30 PM

To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow, JoDean CPT MIL USA <jodean.morrow@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Haberland, John CPT MIL USA <john.haberland@us.army.mil>; luke.rose@mnd-b.army.mil; Hurley, Thomas F MAJ MIL USA OTJAG <Thomas.fredrick.hurley@us.army.mil>

Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Egan, Michael CIV JFHQ-NCR/MDW SJA <Michael.Egan@jfhqncr.northcom.mil>

Subject: Article 32 (PFC Manning)

Counsel -

I anticipate getting the notification memo out early next week, and tentatively plan to set a hearing for the morning of August 13, within the ten day period specified by my appointment orders.

Should you be considering requesting a delay, please consider this email a head's up.

LTC Almanza

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel <paul.r.bouchard@mnd-b.army.mil>
Sent: Saturday, August 7, 2010 9:37 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: US v. Manning

Ashden:

CPT Luke Rose had approached me this past week to discuss the Manning case. I was expecting an offer from him, but he wanted an offer from us. First step of course is the 706. CPT Rose wants my client, Manning, to be cooperative with law enforcement, meaning DOJ.

Hypothetically, if Manning were to plea guilty, what would the Government offer for a sentence?

Just curious.

Thanks,

Paul

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Saturday, August 07, 2010 9:50 AM
To: 'paul.r.bouchard@mnd-b.army.mil'
Subject: Re: US v. Manning

Paul. Luke will be here by monday so we can figure out the details and meet with doj to see what the impetus is behind the govt being so fast to offer a deal. Deals are always on the table except in rare circumstances and nothing about this case leads me to believe that one couldn't happen here. My biggest concern is to get the 706 complete. Did you see the email from the docs. What are your thoughts.

Ashden Fein
CPT, JA
Chief, Military Justice
202-685-4903 (O)
202-450-8230 (C)

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel <paul.r.bouchard@mnd-b.army.mil>
Sent: Saturday, August 7, 2010 9:51 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: US v. Manning

Thanks Ashden:

I did see the e-mail from the docs. My reaction is: three months for a 706 is a long time. I understand thoroughness, but that's a long time.

I look forward to hearing from you and Luke.

Thanks,

Paul

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Sunday, August 08, 2010 8:54 PM
To: Sweda, Michael G Dr CIV USA MEDCOM WRAMC; Hurley, Thomas F MAJ MIL USA OTJAG
Cc: paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; luke.rose@mnd-b.army.mil; Morrow, JoDean CPT MIL USA; Lange, Christopher L LTC MIL USA MEDCOM WRAMC; Montalbano, Paul Dr CIV USA; Malone, Ricky D COL MIL USA MEDCOM WRAMC; Haberland, John CPT MIL USA
Subject: RE: RCM 706 Order (PFC Manning) (UNCLASSIFIED)

Sir,

Thank you. The United States and the Defense counsel will discuss your request with each other over the next few days. We will likely have more questions of you before taking this request to the Convening Authority.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Sunday, August 08, 2010 8:57 PM
To: Morrow, JoDean CPT MIL USA; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Haberland, John CPT MIL USA; luke.rose@mnd-b.army.mil; Hurley, Thomas F MAJ MIL USA OTJAG
Subject: PFC Manning

Gentlemen,

Although email addresses are going to be changing in the near future, please ensure all emails to Government counsel include Fein, Morrow, Haberland, and Rose. I am going to try to setup a generic account that will allow all emails to funnel to each of us with one address. This week, all government counsel (including Rose) will be at MDW.

In the next two days, I would like to discuss, at a minimum, the following issues:
1. Dr. Sweda's request for three months to complete the RCM 706.
2. Any additional requirements the defense has for the Sanity Board (re: MAJ Hurley phone conversation with me last week), so that we can get those to the CA to act on.
3. Possible defense "objections" or "requests" to/for the Classified Information Protective Order (re: MAJ Hurley phone conversation with me last week).
4. A renewed defense delay for the Art 32, in light of the deployed counsel not being present and the original request to delay the Art 32 until the completion of the RCM 706 (re: MAJ Hurley phone conversation last week and IO defense counsel discussions with Rose). We owe the Art 32 IO an answer on potential delays so he can officially set the date and time for the Art 32.
5. Defense's request for a "number" to start negotiating a potential deal.

Of course we are always available to chat. Once we get settled in our new offices and get the POC information hammered out, I will publish a Government POC list for you.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
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CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, August 09, 2010 2:25 PM
To: Hurley, Thomas F MAJ MIL USA OTJAG
Subject: Chat

Sir,

Are you available to chat? Thanks.

Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

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NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Hurley, Thomas F MAJ MIL USA OTJAG [Thomas.fredrick.hurley@us.army.mil]
Sent: Monday, August 09, 2010 2:27 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Subject: RE: Chat (UNCLASSIFIED)
Signed By: thomas.fredrick.hurley@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

CPT Fein

Here's my credit information.

v/r
Thomas F. Hurley
MAJ, JA
703.588.2571 (office)
703.209.8061 (cell)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, August 09, 2010 10:34 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; 'Morrow, JoDean CPT MIL USA'; 'paul.r.bouchard@mnd-b.army.mil'; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; 'Haberland, John CPT MIL USA'; 'luke.rose@mnd-b.army.mil'; Hurley, Thomas F MAJ MIL USA OTJAG
Subject: RE: PFC Manning

MAJ Hurley,

Below recaps our conversation earlier in reference to our previous email:
1. The Defense will decide by tonight whether they plan on requesting additional tests or focuses for the RCM 706.
2. The Defense agrees that the Sanity Board should be given a suspense of 6 weeks to fully complete their evaluation and the United States will recommend to the SPCMCA to extend the suspense to 6 weeks from the date of the action (in the next few days). The United States will also recommend to the SPCMCA that he specify that the Sanity Board may request more time, but only after consulting the Defense and United States and submitting the extension request in writing. The Defense and United States agreed that it is unneeded to ask/recommend the SPCMCA to order the Sanity Board to release the prosecution's results to the Defense prior to release to the United States; however the defense agreed that any objection will be relayed to the United States with an explanation of the objection.
3. The Defense will submit an additional delay for the Art 32 to be held after the Sanity Board is complete. The defense will do this by COB tomorrow so that the Art 32 IO will know that he will need to reschedule the Art 32 after the SPCMCA acts on the defense delay.
4. The Defense will submit to the United States any "objections" or "requests" to/for the Classified Information Protective Order NLT Friday (13 Aug 10).

CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
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NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, August 09, 2010 10:37 PM
To: Almanza, Paul; Morrow, JoDean CPT MIL USA; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Haberland, John CPT MIL USA; luke.rose@mnd-b.army.mil; Hurley, Thomas F MAJ MIL USA OTJAG
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA; Egan, Michael CIV JFHQ-NCR/MDW SJA
Subject: RE: Article 32 (PFC Manning)

Sir,

The United States and Defense spoke today and we anticipate a delay request to be submitted to the SPCMCA in the next few days, which will effectively push the Art 32 to the right.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
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NIPR: ashden.fein@jfhqncr.northcom.mil
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From: Hurley, Thomas F MAJ MIL USA OTJAG [Thomas.fredrick.hurley@us.army.mil]
Sent: Tuesday, August 10, 2010 10:07 AM
To: Sweda, Michael G Dr CIV USA MEDCOM WRAMC
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney
Subject: RE: RCM 706 Order (PFC Manning) (UNCLASSIFIED)
Signed By: thomas.fredrick.hurley@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

Dr. Sweda

I am one of PFC Manning's defense counsel. I know we all (the attorneys for both parties) appreciate your prompt attention to this matter, and I know that we all want a thorough evaluation of PFC Manning that follows the order signed by COL Coffman on 3 August. However, we (the defense) would be much more comfortable with an initial six week suspense. If, at the end of that six weeks, you need more time to complete a thorough evaluation, then we would request that you forward a request for an extension that estimates the time required to complete the process.

PFC Manning is in pre-trial confinement, and we want to get his case referred to trial sooner rather than later.

On a substantive note, we believe the order signed by COL Coffman is sufficient for the charges now preferred. There are no other additional questions we want you to answer in the course of completing this matter.

Thanks.

v/r
Thomas F. Hurley
MAJ, JA
703.588.2571 (office)
703.209.8061 (cell)

From: Hurley, Thomas F MAJ MIL USA OTJAG [Thomas.fredrick.hurley@us.army.mil]
Sent: Tuesday, August 10, 2010 10:11 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Morrow, JoDean CPT MIL USA; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Haberland, John CPT MIL USA; luke.rose@mnd-b.army.mil
Subject: RE: PFC Manning (UNCLASSIFIED)
Signed By: thomas.fredrick.hurley@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

CPT Fein

Your email below is a fair representation of what we discussed on the phone yesterday. You can see from my email to Dr. Sweda that we are "on board" already with those matters discussed in paragraphs 1 and 2. I will get those other matters to you IAW the timeline you described below.

Thanks.

v/r
Thomas F. Hurley
MAJ, JA
703.588.2571 (office)
703.209.8061 (cell)

From: Hurley, Thomas F MAJ MIL USA OTJAG [Thomas.fredrick.hurley@us.army.mil]
Sent: Tuesday, August 10, 2010 10:42 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Subject: RE: PFC Manning (UNCLASSIFIED)
Signed By: thomas.fredrick.hurley@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

CPT Fein

The two letter abbreviation for Iraq is IZ, not IQ. That's in a reg someplace (maybe one of the travel ones). (I would go with "CENTCOM AOR" or "downrange" if I were to try to describe someone's location over this system. I wouldn't want you putting their lives in danger by divulging their location.)

I told CPTs Bouchard and Eaton that I was "lead counsel for now," and they made no objection. So, I am lead counsel for now with "for now" meaning through the 706 board and up to the Article 32 investigation. (My TDS bosses have made no final decision as to who PFC Manning's detailed defense counsel will be, but I anticipate that decision to come prior to the Article 32 in this case.) Also, you can consider the defense request you described in paragraph 5 withdrawn. If you guys have a "sweetheart" deal you want to give in this case, I'm all ears. However, I'm going to wait until the sanity board is finished before I convey it to PFC Manning provided there is no really-important-national-security-at-stake reason for me not to wait. We (the defense) requested the board because we've got some concerns about our client that need to be addressed. It's only after we're reasonably medically certain that he is capable of assisting in his own defense that we will have those kinds of substantive talks.

I didn't want to send this to everyone because I didn't want to sound like a dick (probably too late), but I wanted you to get answers to all of your questions listed below. I copied your Sunday message into this one for a reference.

Thanks.

v/r
Thomas F. Hurley
MAJ, JA
703.588.2571 (office)
703.209.8061 (cell)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, August 10, 2010 10:51 AM
To: Hurley, Thomas F MAJ MIL USA OTJAG
Subject: RE: PFC Manning (UNCLASSIFIED)

Thanks sir. I'm good and I was actually talking about the level of IQ Manning must have with such a high GT score despite being deployed in IZ in the CENTCOM AOR and downrange.

Thanks.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Sweda, Michael G Dr CIV USA MEDCOM WRAMC <MICHAEL.SWEDA@US.ARMY.MIL>
Sent: Tuesday, August 10, 2010 11:00 AM
To: Hurley, Thomas F MAJ MIL USA OTJAG <Thomas.fredrick.hurley@us.army.mil>
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Lange, Christopher L LTC MIL USA MEDCOM WRAMC <christopher.lange1@us.army.mil>; Benesh, Samantha M CPT MIL USA MEDCOM MAMC <samantha.benesh@us.army.mil>; Hemphill, Marla R LTC MIL USA MEDCOM BAMC <marla.hemphill@us.army.mil>
Subject: RE: RCM 706 Order (PFC Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

MAJ Hurley:

We will proceed with this plan in mind (initial 6 week suspense date). It is therefore likely that we will need an extension and will so request along with an estimated time to completion if/when needed. Please note that due to scheduling conflicts, we will begin evaluation on 27 August. Please provide all standard relevant documents relates to 706 evaluations, e.g., report of criminal investigation, mental health/medical records, ERB, etc. This may be sent by courier (FedEx or similar service) to:

Michael Sweda, Chief, Forensic Psychology Service
Walter Reed Army Medical Center
6900 Georgia Avenue NW
Bldg 6 (Borden Pavilion), 3rd Floor
Washington DC 20307

v/r,

Michael Sweda, Ph.D., ABPP (Forensic)
Board-Certified Forensic Psychologist
Chief, Forensic Psychology Service
Director, Forensic Psychology Fellowship Walter Reed Army Medical Center
202-782-5899
202-782-7165 (fax)
202-538-5731 (business blackberry)
301-717-3416 (personal mobile)

"The United States themselves are essentially the greatest poem.
Past and present and future are not disjoined but joined."

From: Almanza, Paul <Paul.Almanza@usdoj.gov>

Sent: Tuesday, August 10, 2010 1:09 PM

To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow, JoDean CPT MIL USA <jodean.morrow@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Haberland, John CPT MIL USA <john.haberland@us.army.mil>; luke.rose@mnd-b.army.mil; Hurley, Thomas F MAJ MIL USA OTJAG <thomas.fredrick.hurley@us.army.mil>

Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Egan, Michael CIV JFHQ-NCR/MDW SJA <Michael.Egan@jfhqncr.northcom.mil>

Subject: RE: Article 32 (PFC Manning)

CPT Fein -

Thanks for the update. Please keep me posted.

LTC Almanza

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, August 10, 2010 10:19 PM
To: Hurley, Thomas F MAJ MIL USA OTJAG; Morrow, JoDean CPT MIL USA; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Haberland, John CPT MIL USA; luke.rose@mnd-b.army.mil
Subject: RE: PFC Manning (UNCLASSIFIED)

Sir,

Thank you for such a quick reply. Please send the Art 32 delay request so that we may get it and the RCM 706 delay request to the SPCMCA for action. Thank you again.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Hurley, Thomas F MAJ MIL USA OTJAG [Thomas.fredrick.hurley@us.army.mil]
Sent: Wednesday, August 11, 2010 9:27 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Subject: FW: Email Sent from Scanning Device (UNCLASSIFIED)
Attachments: document2010-08-11-092405.pdf
Signed By: thomas.fredrick.hurley@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

CPT Fein

Here's the delay request.

v/r
Thomas F. Hurley
MAJ, JA
703.696.8114 (office)
703.209.8061 (cell)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, August 11, 2010 9:31 AM
To: Hurley, Thomas F MAJ MIL USA OTJAG
Subject: RE: Email Sent from Scanning Device (UNCLASSIFIED)

Good to hook sir. Thanks.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, August 11, 2010 9:34 AM
To: Almanza, Paul; Morrow, JoDean CPT MIL USA; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Haberland, John CPT MIL USA; luke.rose@mnd-b.army.mil; Hurley, Thomas F MAJ MIL USA OTJAG
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA; Egan, Michael CIV JFHQ-NCR/MDW SJA
Subject: RE: Article 32 (PFC Manning)
Attachments: Art 32 Defense Delay - 11 Aug 10 (ManningB).pdf

Sir,

The Defense submitted a formal Delay request. Do you have any objections or comments before submitted to the SPCMCA?

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Almanza, Paul <Paul.Almanza@usdoj.gov>
Sent: Wednesday, August 11, 2010 1:08 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Egan, Michael CIV JFHQ-NCR/MDW SJA <Michael.Egan@jfhqncr.northcom.mil>; Morrow, JoDean CPT MIL USA <jodean.morrow@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Haberland, John CPT MIL USA <john.haberland@us.army.mil>; luke.rose@mnd-b.army.mil; Hurley, Thomas F MAJ MIL USA OTJAG <thomas.fredrick.hurley@us.army.mil>
Subject: RE: Article 32 (PFC Manning)

CPT Fein -

No objections. As the defense request is thru me, I'll submit an endorsement recommending approval of the defense's delay request.

Thanks.

LTC Almanza

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, August 12, 2010 8:11 PM
To: Sweda, Michael G Dr CIV USA MEDCOM WRAMC; Hurley, Thomas F MAJ MIL USA OTJAG
Cc: paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Lange, Christopher L LTC MIL USA MEDCOM WRAMC; Benesh, Samantha M CPT MIL USA MEDCOM MAMC; Hemphill, Marla R LTC MIL USA MEDCOM BAMC
Subject: RE: RCM 706 Order (PFC Manning) (UNCLASSIFIED)
Attachments: RCM 706 Extension - 12 Aug 10 (ManningB).pdf

Importance: High

Dr. Sweda,

The Convening Authority approved your requested extension of time. Please see attached memorandum.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, August 12, 2010 8:13 PM
To: Almanza, Paul; Morrow, JoDean CPT MIL USA; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Haberland, John CPT MIL USA; luke.rose@mnd-b.army.mil; Hurley, Thomas F MAJ MIL USA OTJAG
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA; Egan, Michael CIV JFHQ-NCR/MDW SJA
Subject: RE: Article 32 (PFC Manning)
Attachments: Art 32 Delay - 12 Aug 10 (ManningB).pdf

Importance: High

Sir,

The Convening Authority approved the defense delay of the Article 32 Investigation. Please see attached memorandum.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Hurley, Thomas F MAJ MIL USA OTJAG [Thomas.fredrick.hurley@us.army.mil]
Sent: Friday, August 13, 2010 4:56 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Cc: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney
Subject: US v. Manning (UNCLASSIFIED)
Signed By: thomas.fredrick.hurley@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

CPT Fein

1. I told you on the phone today that I have not been detailed to represent PFC Bradley Manning in his pending court-martial. COL Cremin, LTC Fleming, and LTC Febbo will decide who will ultimately be detailed in this case. I anticipate that a decision on that matter will be made in the coming week.

2. We agreed that any "objections" or "recommendations" that the defense had to any potential Security Procedures memo signed by MG Horst would be due today. I am not comfortable signing anything as a defense counsel in this case (because I am not one any more), so I would request an extension of time to make those "objections" or "recommendations" for a period of two weeks. In that time, the new detailed counsel could offer whatever thought necessary for the appropriate handling of classified matters. If MG Horst doesn't want to wait (and her certainly doesn't have to), we would ask that he consider the memo signed by CPT Bouchard on this topic. He submitted that memo through PFC Mannings commanders and lawyers in the CENTCOM AOR.

3. Please email or call me with any questions.

Thanks.

Thomas F. Hurley
MAJ, JA
US Army Defense Counsel Assistance Program
Thomas.fredrick.hurley@conus.army.mil (work email)
hurleytho@gmail.com (iPhone email)
703.696.8114 (office)
703.289.8061 (cell)
703.696.8419 (fax)

Classification: UNCLASSIFIED
Caveats: NONE

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, August 13, 2010 5:03 PM
To: Hurley, Thomas F MAJ MIL USA OTJAG
Cc: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Morrow, JoDean CPT MIL USA; luke.rose@mnd-b.army.mil
Subject: RE: US v. Manning (UNCLASSIFIED)

Sir,

I do not anticipate any changes to the protective order in the next few weeks. Thank you.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Hurley, Thomas F MAJ MIL USA OTJAG [Thomas.fredrick.hurley@us.army.mil]
Sent: Friday, August 13, 2010 5:05 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Cc: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Morrow, JoDean CPT MIL USA; luke.rose@mnd-b.army.mil
Subject: RE: US v. Manning (UNCLASSIFIED)
Signed By: thomas.fredrick.hurley@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

All

Please forgive the typo in my paragraph 2. I typed "her" when I meant to type "he." Not cool.

I will pass along your email to my replacement.

Thanks.

v/r
Thomas F. Hurley
MAJ, JA
703.696.8114 (office)
703.209.8061 (cell)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, August 23, 2010 7:25 AM
To: Kemkes, Matthew J MAJ MIL USA
Subject: PFC Manning

Sir. It is my understanding you are detailed DC for PFC Manning. Is this correct? If so, are you the lead DC or just local- so who does the Government contact for the case? Thanks.

Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, August 23, 2010 2:55 PM
To: Sweda, Michael G Dr CIV USA MEDCOM WRAMC; Kemkes, Matthew J MAJ MIL USA
Cc: paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Rose, Luke CPT USD-C SJA Chief, Military Justice; Haberland, John CPT MIL USA
Subject: RCM 706 (PFC Manning)

Importance: High

Dr. Sweda,

Thank you for the phone call. The purpose of this email is to document our conversation for the Defense in this case. Also, the roster changed for the defense. For administrative matters, please include the entire distribution on your email. This includes the defense and Government counsel.

You called to ask what matters the Sanity Board may review during the inquiry. You specifically asked whether there is a case file , investigative files, witness statements, Soldier records, medical records, and/or mental health records available for the Board. I asked you to please send an email to the entire distribution with specific requests of the documents the Board wants or needs for their inquiry.

I also briefly explained that although the Board asked for three months, the convening authority only gave six weeks in order to reassess the Board's progress, and if the Board requires more time then there will be an opportunity to justify the additional time to the Convening Authority. Defense and Government counsel will be given the opportunity to comment on the request.

Thank you.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: MICHAEL.SWEDA@US.ARMY.MIL
Sent: Monday, August 23, 2010 3:27 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>
Cc: paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; luke.rose@mnd-b.army.mil; john.haberland@us.army.mil; samantha.benesh@us.army.mil; marla.ping@gmail.com
Subject: RE: RCM 706 (PFC Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

ALCON:

We are scheduled to begin our evaluation of PFC Manning this Friday 27 August. but have no records other than the 706 order and charge sheet.

We ordinarily ask for: mental health records (including inpatient stays, if any), medical records (non AHLTA, if any, as AHLTA can be easily viewed on line), witness statements, a report of investigation (to the extent that is available given the pre-Article 32 standing of the case, or a summary of investigation to date), witness statements, military employment records, and any other relevant documents.

Please indicate what will be made available and when.

Records may be sent by FedEx or similar courier to:

Dr. Michael Sweda
Chief, Walter Reed Forensic Psychology Service
Walter Reed Army Medical Center
6900 Georgia Avenue NW
Bldg 6 (Borden Pavilion), Psychology Dept. 3rd Floor
Washington DC 20307

v/r,

Michael Sweda, Ph.D., ABPP (Forensic)
Board-Certified Forensic Psychologist
Chief, Forensic Psychology Service
Director, Forensic Psychology Fellowship Walter Reed Army Medical Center
202-782-5899
202-782-7165 (fax)
202-538-5731 (business blackberry)
301-717-3416 (personal mobile)

"The United States themselves are essentially the greatest poem.
Past and present and future are not disjoined but joined."

From: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>

Sent: Tuesday, August 24, 2010 8:43 AM

To: 'paul.r.bouchard@mnd-b.army.mil'; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>

Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; 'john.haberland@us.army.mil'; 'luke.rose@mnd-b.army.mil'

Subject: FW: RCM 706 (PFC Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Gentlemen (defense).

See below. Can you help Dr. Sweda get copies of Manning's medical records/mental health records? Thanks. I believe he was going to start his evaluation on 27 August.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

From: Kemkes, Matthew J MAJ MIL USA [matthew.kemkes@us.army.mil]
Sent: Tuesday, August 24, 2010 2:29 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Subject: RE: PFC Manning (UNCLASSIFIED)

Categories: Blue Category

Classification: UNCLASSIFIED
Caveats: FOUO

Ashden,

I'm detailed, but still working out roles. Feel free to contact me about the case.

Respectfully,

MAJ Kemkes

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, August 25, 2010 10:27 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Michael Eaton <michael.l.eaton@mnd-b.army.mil>; MICHAEL.SWEDA@US.ARMY.MIL
Subject: Defense Expert Request - 706 Board
Attach: Manning - Expert Request.pdf

CPT Fein,

I have been retained by PFC Manning to represent him in his case. I will be making my representation of him public early next week. Please forward the attached request to the convening authority prior to having the R.C.M. 706 board begin its work. Additionally, please ensure that Dr. Sweda and the board have all of the requested documentation before beginning their work. This would prevent the necessity of requesting that the military judge reopen the R.C.M. 706 board at a later date.

If you have any questions or concerns, feel free to contact me.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, August 25, 2010 10:51 AM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; Paul Bouchard; Michael Eaton; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT MIL USA; Rose, Luke CPT USD-C SJA Chief, Military Justice
Subject: RE: Defense Expert Request - 706 Board

Mr. Coombs,

Thank you for the email. The United States will start processing this request immediately. I deleted Dr. Sweda from this email and added the remainder of the prosecution team (CPT Joe Morrow, CPT Luke Rose, and CPT John Haberland). Please send all future emails to the entire Prosecution team.

After this email, I will reply with Dr. Sweda included and outline that we will go to the Convening Authority with your delay request and start processing the overall request for a medical expert.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Eaton, Michael L. CPT USD-C SJA/ATOS Officer <michael.l.eaton@mnd-b.army.mil>
Sent: Wednesday, August 25, 2010 10:51 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Out of Office: Defense Expert Request - 706 Board

Effective 30 May 2010, I am transferred to the Camp Victory Field Office and will not be receiving e-mail regularly at this e-mail address. Please e-mail me at michael.eaton@iraq.centcom.mil until further notice.

Thank you.

Very respectfully,

Mike Eaton
CPT, JA
Trial Defense Counsel

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, August 25, 2010 10:53 AM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; Paul Bouchard; Michael Eaton; MICHAEL.SWEDA@US.ARMY.MIL; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT MIL USA; Rose, Luke CPT USD-C SJA Chief, Military Justice
Subject: RE: Defense Expert Request - 706 Board

Mr. Coombs- Acknowledged. The United States will process the defense request immediately.

Dr. Sweda- The prosecution will present the delay request to the convening authority in the next 24 hours (assuming he is available) and have an answer on whether the RCM 706 Board is delayed or not.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, August 25, 2010 10:55 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Michael Eaton <michael.l.eaton@mnd-b.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland,John CPT MIL USA <john.haberland@us.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>
Subject: RE: Defense Expert Request - 706 Board

CPT Fein,

Thank you for your prompt action on this request.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: MICHAEL.SWEDA@US.ARMY.MIL
Sent: Thursday, August 26, 2010 7:06 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>
Cc: paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; luke.rose@mnd-b.army.mil; john.haberland@us.army.mil; coombs@armycourtmartialdefense.com; marla.ping@gmail.com; samantha.benesh@us.army.mil
Subject: RE: RCM 706 (PFC Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

ALCON:

We will meet tomorrow (27 Aug) with PFC Manning to begin our evaluation. Thus far, we have no documentation but can begin with certain aspects of the evaluation even in absence of this.

I wanted to double check to confirm that there are no security issues about our interview, and that we can handle notes in the usual manner.

Michael Sweda
Chief, WRAMCC Forensic Psychology Service
202-782-5899
301-717-3416 (Mobile)

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel <paul.r.bouchard@mnd-b.army.mil>
Sent: Thursday, August 26, 2010 7:22 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Eaton, Michael L. CPT USD-C SJA/ATOS Officer <michael.l.eaton@mnd-b.army.mil>; MICHAEL.SWEDA@US.ARMY.MIL; 'coombs@armycourtmartialdefense.com'
Subject: RE: Defense Expert Request - 706 Board
Attach: Manning - Expert Request.pdf

Dr. Sweda:

The lead attorney for PFC Manning is Mr. David Coombs (His e-mail address is on the cc line, and please read the below e-mail). Yesterday, the Defense respectfully requested that an additional doctor – one on the defense team – be appointed for purposes of the 706. (See e-mail attachment).
Moreover, given recent discussions with our client, we now have security concerns as they pertain to the 706.
With that, we request that the 706 be pushed back until these issues/requests are resolved.

Respectfully,
CPT Bouchard

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, August 26, 2010 8:34 AM
To: 'MICHAEL.SWEDA@US.ARMY.MIL'; Matthew kemkes
Cc: 'paul.r.bouchard@mnd-b.army.mil'; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; 'luke.rose@mnd-b.army.mil'; 'john.haberland@us.army.mil'; 'coombs@armycourtmartialdefense.com'; 'maria.ping@gmail.com'; 'samantha.benesh@us.army.mil'
Subject: Re: RCM 706 (PFC Manning) (UNCLASSIFIED)

Dr. Sweda. As of late last night, the convening authority granted the defense delay until the GCMCA takes action on the expert request. The formal documentation will be sent later this morning. Vr. CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
202-685-4903 (O)
202-450-8230 (C)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, August 26, 2010 8:39 AM
To: 'paul.r.bouchard@mnd-b.army.mil'
Cc: Matthew kemkes; 'michael.l.eaton@mnd-b.army.mil'; 'coombs@armycourtmartialdefense.com'; 'john.haberland@us.army.mil'; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; 'luke.rose@mnd-b.army.mil'
Subject: Re: Defense Expert Request - 706 Board

Mr. Coombs, et al, please outline your client's security concerns so that the United States may take appropriate action. This is the first we have heard of these security concerns.

Also please try to include all government counsel on your emails. Thank you.

CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Thursday, August 26, 2010 9:20 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; michael.l.eaton@mnd-b.army.mil; john.haberland@us.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; luke.rose@mnd-b.army.mil; paul.r.bouchard@mnd-b.army.mil
Subject: RE: Defense Expert Request - 706 Board
Attach: Classifed Info - R.C.M. 706.pdf

CPT Fein,

Please see that attached motion. Also, I would like to arrange a time to speak to you today if you are available.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, August 26, 2010 9:29 AM
To: 'coombs@armycourtmartialdefense.com'
Cc: Matthew kemkes; 'michael.l.eaton@mnd-b.army.mil'; 'john.haberland@us.army.mil'; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; 'luke.rose@mnd-b.army.mil'; 'paul.r.bouchard@mnd-b.army.mil'
Subject: Re: Defense Expert Request - 706 Board

Sir. If possible can we chat tomorrow, because I am attending a funeral. If not then Joe Morrow can chat today.

Ashden Fein
CPT, JA
Chief, Military Justice
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Thursday, August 26, 2010 9:35 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; michael.l.eaton@mnd-b.army.mil; john.haberland@us.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; luke.rose@mnd-b.army.mil; paul.r.bouchard@mnd-b.army.mil
Subject: RE: Defense Expert Request - 706 Board

CPT Fein,

Of course, just let me know what time tomorrow works for you.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: MICHAEL.SWEDA@US.ARMY.MIL
Sent: Thursday, August 26, 2010 11:44 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>
Cc: paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; luke.rose@mnd-b.army.mil; john.haberland@us.army.mil; coombs@armycourtmartialdefense.com; marla.ping@gmail.com; samantha.benesh@us.army.mil
Subject: RE: RCM 706 (PFC Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Sir:

I just wanted to make sure that I am tracking on this. This means that we will need to reschedule our first evaluation session for a later date?

v/r.

Michael Sweda, Ph.D., ABPP (Forensic)
Board-Certified Forensic Psychologist
Chief, Forensic Psychology Service
Director, Forensic Psychology Fellowship Walter Reed Army Medical Center
202-782-5899
202-782-7165 (fax)
202-538-5731 (business blackberry)
301-717-3416 (personal mobile)

"The United States themselves are essentially the greatest poem.
Past and present and future are not disjoined but joined."

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, August 26, 2010 11:55 AM
To: 'MICHAEL.SWEDA@US.ARMY.MIL'; Matthew kemkes
Cc: 'paul.r.bouchard@mnd-b.army.mil'; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; 'luke.rose@mnd-b.army.mil'; 'john.haberland@us.army.mil'; 'coombs@armycourtmartialdefense.com'; 'maria.ping@gmail.com'; 'samantha.benesh@us.army.mil'
Subject: Re: RCM 706 (PFC Manning) (UNCLASSIFIED)

Dr. Sweda. Yes, please reschedule and please wait to reschedule until we get back to you in the near future. Vr. CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
202-685-4903 (O)
202-450-8230 (C)

From: MICHAEL.SWEDA@US.ARMY.MIL
Sent: Thursday, August 26, 2010 12:03 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>
Cc: paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; luke.rose@mnd-b.army.mil; john.haberland@us.army.mil; coombs@armycourtmartialdefense.com; marla.ping@gmail.com; samantha.benesh@us.army.mil
Subject: RE: RCM 706 (PFC Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

CPT Fein:

No problem. We will wait until we have a go from you to reschedule.

v/r.

Michael Sweda, Ph.D., ABPP (Forensic)
Board-Certified Forensic Psychologist
Chief, Forensic Psychology Service
Director, Forensic Psychology Fellowship Walter Reed Army Medical Center
202-782-5899
202-782-7165 (fax)
202-538-5731 (business blackberry)
301-717-3416 (personal mobile)

"The United States themselves are essentially the greatest poem.
Past and present and future are not disjoined but joined."

From:	Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent:	Thursday, August 26, 2010 12:22 PM
To:	'MICHAEL.SWEDA@US.ARMY.MIL'; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>
Cc:	paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; luke.rose@mnd-b.army.mil; john.haberland@us.army.mil; coombs@armycourtmartialdefense.com; marla.ping@gmail.com; samantha.benesh@us.army.mil
Subject:	RE: RCM 706 (PFC Manning) (UNCLASSIFIED)
Attach:	Defense RCM 706 Delay Request Approved (ManningB).pdf

Classification: UNCLASSIFIED
Caveats: NONE

All,

See attached.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

From: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent: Wednesday, September 1, 2010 10:49 AM
To: coombs@armycourtmartialdefense.com; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>
Cc: 'Rose, Luke CPT USD-C SJA Chief, Military Justice' <luke.rose@mnd-b.army.mil>; john.haberland@us.army.mil; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: defense requests dated 25 and 26 August 2010 (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Defense team,

The United States is currently processing your Defense Expert Consultant Request (dated 25 Aug 10) and your Request to Delay the RCM 706 Board (dated 26 Aug 10).

In your request to delay the RCM 706 sanity board, you proffered that PFC Manning would need to divulge information up to the TS/SCI level in order to participate in the inquiry of the board. What is your position with respect to the level of clearance you will need in order to effectively represent PFC Manning? If you believe you will need an additional clearance above what you already possess, the United States will need a formal request in writing with justification.

The United States is also working on your request for appointment of an expert consultant in forensic psychiatry and your request to have the expert consultant participate before, during, and after the RCM 706 sanity board. Assuming classified information is authorized to be discussed at the RCM 706 sanity board, are you also requesting the expert consultant be cleared at the TS/SCI level to be a full member of the defense team? If so, please amend your request for the expert consultant to reflect this requirement.

Thanks.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

Classification: UNCLASSIFIED
Caveats: FOUO

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, September 01, 2010 6:30 PM
To: coombs@armycourtmartialdefense.com
Subject: Call Back

Sir. I tried calling back and no answer. If you want or need to chat, please call. I am about to go for a run, but I plan on making tonight a relatively late night.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Thursday, September 2, 2010 4:50 PM
To: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; john.haberland@us.army.mil; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>
Subject: RE: defense requests dated 25 and 26 August 2010 (UNCLASSIFIED)
Attach: Security Clearance Request.pdf; Forensic Psychiatrist Request.pdf

---

Joe,

Please see the attached requests. Let me know if you have any questions or concerns.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent:	Thursday, September 02, 2010 11:02 PM
To:	'coombs@armycourtmartialdefense.com'; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Cc:	'luke.rose@mnd-b.army.mil'; 'john.haberland@us.army.mil'; 'paul.r.bouchard@mnd-b.army.mil'; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Matthew kemkes
Subject:	Re: defense requests dated 25 and 26 August 2010 (UNCLASSIFIED)

Sir. Thanks. Because the spcmca still owns the case could you please resend for the commander, us army garrison, joint base myer-henderson hall. Vr ashden

Ashden Fein
CPT, JA
Chief, Military Justice
202-685-4903 (O)
202-450-8230 (C)

From:	Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel <paul.r.bouchard@mnd-b.army.mil>
Sent:	Thursday, September 2, 2010 11:02 PM
To:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject:	Out of Office: defense requests dated 25 and 26 August 2010 (UNCLASSIFIED)

I am TDY and then on leave. Please direct your questions to LTC Steven Fillenwarth at 847-2142 or you can reach our paralegal at 847-7713. The best e-mail addresses to reach me at are: bouchardp@yahoo.com and paul.r.bouchard@us.army.mil.

Thank you,
CPT Paul Bouchard

From:	Eaton, Michael L. CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>
Sent:	Thursday, September 2, 2010 11:02 PM
To:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject:	Out of Office: defense requests dated 25 and 26 August 2010 (UNCLASSIFIED)

I will be traveling on official business from approximately 28 August 2010 until on or about 20 September 2010. During this time, I likely will not be able to check this e-mail address. However, I will be available via e-mail at michael.l.eaton@gmail.com or at michael.l.eaton@us.army.mil. If you have an urgent matter, please contact the Senior Defenses Counsel, CPT Bennett Gore at clyde.gore@iraq.centcom.mil or call DSN 485-2140 for further assistance.

Very respectfully,

Mike Eaton
CPT, JA
Trial Defense Counsel

From: coombs@armycourtmartialdefense.com
Sent: Friday, September 3, 2010 8:19 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: luke.rose@mnd-b.army.mil; john.haberland@us.army.mil; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney <michael.eaton@iraq.centcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: RE: defense requests dated 25 and 26 August 2010 (UNCLASSIFIED)
Attach: Security Clearances 2.pdf; Expert Request 3.pdf

Ashden,

Here are the amended requests for the garrison commander. Have a great labor day weekend.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, September 06, 2010 11:47 PM
To: coombs@armycourtmartialdefense.com
Cc: luke.rose@mnd-b.army.mil; john.haberland@us.army.mil; paul.r.bouchard@mnd-b.army.mil; Eaton, Michael L CPT USF-I SJ A Trial Defense Attorney; Matthew kemkes; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: RE: defense requests dated 25 and 26 August 2010 (UNCLASSIFIED)

Sir. Acknowledge receipt of these two requests. We will continue to expeditiously work these actions.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, September 7, 2010 6:38 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: defense requests dated 25 and 26 August 2010 (UNCLASSIFIED)

Thanks Ashden.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From:	Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent:	Wednesday, September 8, 2010 8:23 AM
To:	'coombs@armycourtmartialdefense.com'; Matthew kemkes <matthew.kemkes@us.army.mil>
Cc:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject:	clearance issues (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Gentlemen,

I need your full name and DOB at your earliest convenience. Thanks.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

Classification: UNCLASSIFIED
Caveats: FOUO

From: Almanza, Paul <Paul.Almanza@usdoj.gov>
Sent: Friday, September 10, 2010 10:21 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Hurley, Thomas F MAJ MIL USA OTJAG <Thomas.fredrick.hurley@us.army.mil>
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: Article 32 (PFC Manning)

Gentlemen -

Hope this finds you well. Just touching base in case you have an ETA on when the sanity board may be completed.

Thanks.

LTC Almanza

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, September 10, 2010 10:25 AM
To: Almanza, Paul; coombs@armycourtmartialdefense.com; Kemkes, Matthew J MAJ MIL USA; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; Hurley, Thomas F MAJ MIL USA OTJAG
Subject: RE: Article 32 (PFC Manning)

Sir,

Good morning. I added Mr. David Coombs and MAJ Matt Kemkes to this email. Mr. Coombs is PFC Manning's CDC and MAJ Kemkes is the lead TDS counsel. MAJ Hurley is no longer detailed to the case.

The Art 32 and RCM 706 inquiry are still on hold based on multiple defense requests. We do not have an anticipated time on when the Art 32 will occur. The RCM 706 board was originally given six weeks to complete their board, but that is on hold.

Could you please pass your SSN to SGT Zimmerman so that the United States may proactively work any security issues that might arise.

Thank you.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Almanza, Paul <Paul.Almanza@usdoj.gov>
Sent: Friday, September 10, 2010 10:32 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; coombs@armycourtmartialdefense.com; Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Hurley, Thomas F MAJ MIL USA OTJAG <thomas.fredrick.hurley@us.army.mil>
Subject: RE: Article 32 (PFC Manning)

Thank you, CPT Fein. Will do.

LTC Almanza

From: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent: Monday, September 13, 2010 6:18 PM
To: 'coombs@armycourtmartialdefense.com'; Matthew kemkes <matthew.kemkes@us.army.mil>
Cc: 'Rose, Luke CPT USD-C SJA Chief, Military Justice' <luke.rose@mnd-b.army.mil>; john.haberland@us.army.mil; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: case update (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Gentlemen,

Update on current issues:

- The United States is continuing to work on identifying an expert, with the proper credentials, including a security clearance. Once we receive the information from the Chief, Forensic Psychiatry, we will forward the action to the SPCMCA.
- The RCM 706 board members have been identified and we are processing your request to have them cleared to discuss the mental impressions of PFC Manning during the examination.
- Your request for TS/SCI clearance for defense counsel is currently being processed. Please notify us if the three military defense counsel will not be remaining on the case.

Thanks.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

Classification: UNCLASSIFIED
Caveats: FOUO

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, September 15, 2010 1:36 PM
To: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; john.haberland@us.army.mil; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>
Subject: RE: case update (UNCLASSIFIED)

Joe,

Thank you for the update. I believe the defense counsel on the case will be just myself, MAJ Kemkes and CPT Bouchard. PFC Manning will be IMCing CPT Bouchard this or early next week. I have received confirmation that the IMC request will be approved.

Do you have any update on the defense request to have a forensic psychiatrist appointed to the defense team to sit in on the 706? I may have a lead on a forensic psychiatrist from the Air Force with a TS-SCI clearance. I hope to hear something this week on his availability.
What time-line are you looking at to start up the 706? How are the classification reviews coming?

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, September 17, 2010 6:51 PM
To: coombs@armycourtmartialdefense.com; Matthew kemkes
Cc: Rose,Luke CPT USD-C SJA Chief,Military Justice; john.haberland@us.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Update (US v. Manning)
Attachments: Acknowledgment of Protective Order (ManningB).pdf; Protective Order for Classified Information (ManningB).pdf; Preliminary Classification Review of the Accused's Mental Impressions (ManningB).pdf; Appointment of Defense Security Expert Consultant (ManningB).pdf; Monitoring Acknowledgment (Confinee).pdf

Importance: High

Sir,

Good evening. The Convening Authority took action on most of your most recent requests and attached are the actions and updates.

1. Appointment of Defense Security Expert Consultant. Attached is the appointment memorandum. Mr. Ganiel (ATEC) may be reached at 703-681-0792 or (charles.ganiel@us.army.mil).

2. In reference to the defense request for TS/SCI clearances for the defense team and the RCM 706 board, the Convening Authority ordered that a preliminary classification review by your defense expert occur of the accused's mental impressions and thoughts so that the Convening Authority can properly determine whether clearances and read-ons are required. Attached is the Preliminary Classification Review Order. Please contact the Trial Counsel, if you need assistance with setting up the logistics for your expert to conduct this review.

3. The United States is still working on finding an available Psychiatric Forensic Expert Consultant with eligibility to obtain or have a TS/SCI clearance to present to the Convening Authority. Although there are doctors who fit your request, there are very few with TS/SCI clearances, which we requested, in case that access level is ordered by the Convening Authority. We expect an answer by the middle of next week. The United States is searching across all branches of the DoD.

4. The Convening Authority issued a Protective Order for Classified Information. The previous Convening Authority also had a Protective Order in place in the original jurisdiction. Attached is the Protective Order and its Acknowledgment. Please review this Protective Order and have all members of the defense team (including the defense expert and the accused) sign an acknowledgment prior to the discussion of classified information amongst yourselves. After the Preliminary Classification Review is finished, the Convening Authority will make a decision as to what level of classified information may be discussed amongst the defense team, including the limits of the "need to know" and under what conditions.

5. Finally, the United States will be monitoring and/or recording all communications by the accused with another party to prevent the disclosure of classified information, except for privileged communications with the defense team, the accused's behavioral health providers, and the brig chaplains. Attached is the acknowledgment which will be presented by the Brig to the accused.

If you have any questions, please call or email. Have a good weekend.

v/r

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Saturday, September 18, 2010 2:43 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; john.haberland@us.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Paul Bouchard <bouchardp@yahoo.com>
Subject: RE: Update (US v. Manning)
Attach: Defense Response to PCRO.pdf; Attachment A.pdf

CPT Fein,

Please review the attached response to the preliminary classification review order by COL Coffman. The defense's position is that this order is not a lawful one. Since this matter is not yet before a military court, the defense will need to know the government's position on this issue in a timely fashion in order seek extraordinary relief.

Also, I have spoken with my client regarding the monitoring and/or recording acknowledgement. Based upon our discussion, he has signed the acknowledgement. The defense requests notification of the procedures that the confinement facility will use to ensure that privileged communications with defense team, PFC Manning's behavioral health providers, and the brig chaplains will not be mistaken monitored or recorded.

Finally, I have a lead on a possible military forensic psychiatrist that possesses a TS-SCI clearance. Once I confirm his availability, I will provide the government with his contact information.

Feel free to contact me if you have any questions or concerns.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
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Fax: (508) 324-9896
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www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Sunday, September 19, 2010 9:17 PM
To: coombs@armycourtmartialdefense.com
Cc: Rose,Luke CPT USD-C SJA Chief,Military Justice; john.haberland@us.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; Paul Bouchard; Paul Bouchard
Subject: RE: Update (US v. Manning)

Sir. The United States acknowledges receipt of this response.

Will you be available late in the afternoon tomorrow (Mon, 20 Sep 10) for a phone conversation?

Thank you.

v/r
Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Sunday, September 19, 2010 9:20 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; john.haberland@us.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Paul Bouchard <bouchardp@yahoo.com>
Subject: RE: Update (US v. Manning)

Ashden,

How does 1600 tomorrow sound to you?

Best,
David

David E. Coombs, Esq.
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45 North Main Street, 5th Floor
Fall River, MA 02720
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Sunday, September 19, 2010 9:21 PM
To: coombs@armycourtmartialdefense.com
Cc: Rose,Luke CPT USD-C SJA Chief,Military Justice; john.haberland@us.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; Paul Bouchard; Paul Bouchard
Subject: RE: Update (US v. Manning)

Sir,

1600 tomorrow is great. We will initiate the phone call, please provide the best number to call. Thanks.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Sunday, September 19, 2010 9:23 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; john.haberland@us.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Paul Bouchard <bouchardp@yahoo.com>
Subject: RE: Update (US v. Manning)

Ashden,

Call me on my direct dial number below.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, September 20, 2010 4:02 PM
To: coombs@armycourtmartialdefense.com
Subject: RE: Update (US v. Manning)

Sir. You available?

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <sara.zimmerman@organization.com>
Sent: Friday, September 24, 2010 2:30 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; 'paul.r.bouchard@mnd-b.army.mil'; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; 'Morrow, JoDean CPT MIL USA' <jodean.morrow@us.army.mil>; 'luke.rose@mnd-b.army.mil'; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>
Subject: Preliminary Classification Review (UNCLASSIFIED)
Attach: Superseding Preliminary Classification Review of the Accused's Mental Impressions (ManningB).pdf

---

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

Attached is the Preliminary Classification Review of PFC Manning. If you have any questions, please direct them to CPT Fein. Thank you.

V/R,

SARA J. ZIMMERMAN
SGT, US Army
Military Justice Paralegal
Comm: (202) 685-3260
DSN: 325-3260
Fax: (202) 685-5454

Classification: UNCLASSIFIED
Caveats: FOUO

From: coombs@armycourtmartialdefense.com
Sent: Friday, September 24, 2010 3:22 PM
To: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow,JoDean CPT MIL USA <jodean.morrow@us.army.mil>; luke.rose@mnd-b.army.mil; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>
Subject: RE: Preliminary Classification Review (UNCLASSIFIED)

SGT Zimmerman,

I have received the attached PCRO. I will forward this to the defense security expert.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, September 24, 2010 3:47 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: RE: Preliminary Classification Review (UNCLASSIFIED)

Sir. Any movement on your proposed Psych Expert in the DC area? We finally found one, after going across all branches, without a TS/SCI clearance that we will need to get for him (and you) if the review comes back requiring the clearance. Thanks.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, September 28, 2010 7:16 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: PCRO Issues
Attach: PCRO Expert Issues.pdf

Ashden,

I have attached several issues that Mr. Ganiel has identified in order to conduct his preliminary classification review. Please take a look at this list, and let me how the government will address the various classified information requirements addressed in the memorandum.

Best,
David

David E. Coombs, Esq.
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45 North Main Street, 5th Floor
Fall River, MA 02720
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Office: (508) 674-6006
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coombs@armycourtmartialdefense.com
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, September 29, 2010 9:57 AM
To: coombs@armycourtmartialdefense.com; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Cc: Matthew kemkes; Paul Bouchard; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: RE: PCRO Issues

Sir,

Acknowledge receipt. Any more movement on your proposed Psych Expert in the DC area? We finally found one, after going across all branches, without a TS/SCI clearance that we will need to get for him (and you) if the review comes back requiring the clearance.

Thanks.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, September 29, 2010 12:26 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Zimmerman, Sara J. SGT USA JFHQ-NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: RE: PCRO Issues

Ashden,

No positive movement. The person is deploying so I am back to the drawing board.

Best,
David

David E. Coombs, Esq.
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Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, September 29, 2010 12:31 PM
To: 'coombs@armycourtmartialdefense.com'
Cc: Matthew kemkes; 'paul.r.bouchard@mnd-b.army.mil'; Zimmerman, Sara J. SGT USA JFHQ-NCR/MDW SJA; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Re: PCRO Issues

Sir. Thanks. we are working to find a person and we will likely go with a doctor without a ts clearance and will need to get he/she a clearance if required after prelim review.

Ashden Fein
CPT, JA
Chief, Military Justice
202-685-4903 (O)
202-450-8230 (C)

From: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>

Sent: Wednesday, October 6, 2010 2:23 PM

To: 'coombs@armycourtmartialdefense.com'; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>

Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>

Subject: RE: PCRO Issues (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

We should have answers/solutions to all the issues you raised by Friday. Sorry for the delay. Thanks.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, October 06, 2010 7:18 PM
To: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; 'coombs@armycourtmartialdefense.com'
Cc: Matthew kemkes; 'Paul Bouchard'
Subject: RE: PCRO Issues (UNCLASSIFIED)

Sir. To clarify, the United States is still working on determining which facility (SCIF) is available to allow the defense experts, defense team, the accused, and a possible RCM 706 board to convene, if the preliminary classification review determines the information is at a level higher than "SECRET".

Also, the United States is working to find a suitable location for the defense team to store SCI notes and/or documents that is accessible by members of the defense team.

Both these issues should be resolved by the end of the week. The main issue holding up this is finding a facility that minimizes the accused's potential exposure to third parties on-lookers or is not in a otherwise public location, close to Quantico Brig.

v/r
Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, October 07, 2010 12:42 PM
To: 'coombs@armycourtmartialdefense.com'
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Chat today

Sir. Are you around today to discuss an issue? Thanks.

Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, October 07, 2010 1:46 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: RE: Chat today

Sir. Sounds great. We will call at 1600.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Thursday, October 7, 2010 1:45 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: Chat today

Ashden,

How does 1600 sound to you? If good, just give me a call at the direct dial line below.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, October 12, 2010 7:48 AM
To: coombs@armycourtmartialdefense.com
Cc: Kemkes, Matthew J MAJ MIL USA; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: SCIF Location

Sir. Good morning. When we spoke last Thursday, you were going to get back to me on Friday to let me know if the Defense wants to give input into the Convening Authorities decision on choosing to use the Field Investigative Unit (FIU) SCIF for the Preliminary Classification Review and, depending on the results of the classification review, client meetings and RCM 706. Please let me know ASAP so we can present to the CA early this week. Thank you.

Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, October 12, 2010 8:15 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: RE: SCIF Location

Ashden,

I am sorry, I believed that I was supposed to get back to you on Friday only if the defense had any issues. The FIU location is fine for the PCR, client meetings, and the 706 board.

Please let me know the contact information for the second security expert as soon as you can so that I can get him/her up to speed. As I mentioned before, Mr. Ganiel will be out of the loop until the 18th of October.

Best,
David

David E. Coombs, Esq.
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Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, October 13, 2010 8:53 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Paul Bouchard; Rose, Luke CPT USD-C SJA Chief, Military Justice; Haberland, John CPT USA Regimental Judge Advocate; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Subject: CA Actions (US v. Manning)
Attachments: 2-Appointment of 2nd Defense Security Expert (ManningB).pdf; 1-Excludable Delay Memorandum (ManningB).pdf; 4-Response to Defense Request to Amend Protective Order (ManningB).pdf; 3-Appointment of Defense Expert Consultant in Forensic Psychiatry (ManningB).pdf; 5-Approved Facility and Storage for Classified Information (ManningB).pdf

Sir. Attached are the following five convening authorities actions:

1. Excludable Delay Memorandum
2. Appointment of 2d Defense Security Expert
3. Appointment of Defense Expert Consultant in Forensic Psychiatry
4. Response to Defense Request to Amend the Protective Order
5. Approved Facility and Storage for Classified Information

We are still working on your request to receive a bates stamped copy of the unclassified portion of the case file.

V/r
Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, October 13, 2010 10:50 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>
Subject: RE: CA Actions (US v. Manning)

Ashden,

Thank you. Can you provide me with contact information for COL Benedek and for Mr. Hall? Also, do you have a time-line on the bates stamped copy of the unclassified portion of the case file?

Best,
David

David E. Coombs, Esq.
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45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>

Sent: Thursday, October 14, 2010 8:25 AM

To: 'coombs@armycourtmartialdefense.com'; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>

Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>

Subject: RE: CA Actions (US v. Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

COL Benedek can be reached at 301-319-4944 or dbenedek@usuhs.mil

Mr. Hall can be reached at 703-428-4340 or cassius.hall@us.army.mil.

We will produce a bates-stamped copy of the unclassified portion of the case file by next Friday (22 October) at the latest - what has already been provided and updated information.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com

Sent: Thursday, October 14, 2010 11:54 AM

To: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>

Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>

Subject: RE: CA Actions (US v. Manning) (UNCLASSIFIED)

Joe,

I have reached out to both defense appointed experts. I hope to be able to speak to Mr. Hall later today. When do you believe the government will be complete the arrangements for the transportation of PFC Manning from Quantico to the FIU location?
Best,
David

David E. Coombs, Esq.
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45 North Main Street, 5th Floor
Fall River, MA 02720
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From:	Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent:	Thursday, October 14, 2010 12:33 PM
To:	'coombs@armycourtmartialdefense.com'
Cc:	Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject:	RE: CA Actions (US v. Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir.

We are conducting a rehearsal next Tuesday, the 19th, and should be ready after that. I know that Mr. Ganiel returns on the 18th. When do you think your experts will be able to proceed?

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Thursday, October 14, 2010 12:41 PM
To: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: CA Actions (US v. Manning) (UNCLASSIFIED)

Joe,

I am not for sure at this point, however, I don't see why they couldn't begin their work as soon as the transportation piece is resolved. I will speak with Mr. Hall and Mr. Ganiel and get back with you.

Best,
David

David E. Coombs, Esq.
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45 North Main Street, 5th Floor
Fall River, MA 02720
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Office: (508) 674-6006
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From: Almanza, Paul <Paul.Almanza@usdoj.gov>
Sent: Thursday, October 14, 2010 5:59 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; coombs@armycourtmartialdefense.com; Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: RE: Article 32 (PFC Manning)

All --

Since it's been about a month since we last touched base, I'm checking in to see if you have any ETA on the completion of the sanity board.

Additionally, as the current delay we're on will expire when the sanity board is completed, please give some thought as to whether you anticipate seeking additional delay (depending of course on when the sanity board is expected to be completed).

Thanks!

LTC Almanza

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, October 14, 2010 10:00 PM
To: Almanza, Paul; coombs@armycourtmartialdefense.com; Matthew kemkes; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose, Luke CPT USD-C SJA Chief, Military Justice
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: RE: Article 32 (PFC Manning)

Sir,

Currently we are still in pre-RCM 706 delay for security matters. At this point, we do not have an estimate on their completion, but once they are then we should move directly in the RCM 706 board, pending a determination of security clearances. Thank you.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, October 14, 2010 10:02 PM
To: Sweda, Michael G Dr CIV USA MEDCOM WRAMC; RICKY.MALONE@US.ARMY.MIL
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; coombs@armycourtmartialdefense.com; Matthew kemkes; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose, Luke CPT USD-C SJA Chief, Military Justice
Subject: RCM 706 (PFC Manning)

Gentlemen,

Currently we are still delayed for the RCM 706 for security matters. At this point, we do not have an estimate on their completion, but once they are then we should move directly in the RCM 706 board, pending a determination of security clearances. Thank you.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: MICHAEL.SWEDA@US.ARMY.MIL
Sent: Friday, October 15, 2010 8:10 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; RICKY.MALONE@US.ARMY.MIL
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; coombs@armycourtmartialdefense.com; Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; luke.rose@mnd-b.army.mil; samantha.benesh@us.army.mil
Subject: RE: RCM 706 (PFC Manning) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Thank you.

v/r.

Michael Sweda, Ph.D., ABPP (Forensic)
Board-Certified Forensic Psychologist
Chief, Forensic Psychology Service
Director, Forensic Psychology Fellowship Walter Reed Army Medical Center
202-782-5899
202-782-7165 (fax)
202-538-5731 (business blackberry)
301-717-3416 (personal mobile)

"The United States themselves are essentially the greatest poem.
Past and present and future are not disjoined but joined."

From: Almanza, Paul <Paul.Almanza@usdoj.gov>
Sent: Friday, October 15, 2010 8:54 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; coombs@armycourtmartialdefense.com; Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Rose, Luke CPT USD-C SJA Chief, Military Justice <luke.rose@mnd-b.army.mil>
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: RE: Article 32 (PFC Manning)

CPT Fein -

Thanks for the info.

LTC Almanza

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, October 18, 2010 9:26 PM
To: Hurley, Thomas F MAJ MIL USA OTJAG
Cc: Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Subject: RE: Courtroom (UNCLASSIFIED)

Sir. As of now we do not have court scheduled but we might have our contractors here for our courtroom renovations. Do you need it for something?

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, October 19, 2010 9:57 AM
To: Hurley, Thomas F MAJ MIL USA OTJAG
Subject: RE: Courtroom (UNCLASSIFIED)

Thanks sir. I do plan on one day going home before 2130, I heard there is light at the end of the tunnel at the grad course!

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, October 19, 2010 10:29 AM
To: coombs@armycourtmartialdefense.com; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Cc: Matthew kemkes; Paul Bouchard; Rose,Luke CPT USD-C SJA Chief,Military Justice; Haberland, John CPT USA Regimental Judge Advocate; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Subject: PCRO Update

Sir,

Have you been able to speak with your security experts and see when they will be ready to start the review. The rehearsal for PFC Manning's movement from Quantico Brig to the FIU and procedures within FIU should be completed this morning. After that we will be ready to schedule the first of however many meeting need to occur for your team. Thank you.

v/r
Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, October 19, 2010 1:48 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: RE: PCRO Update

Ashden,

I spoke with Mr. Hall and Mr. Ganiel. I am meeting with them tomorrow to discuss the PCR and their anticipated time-line for their work. After my discussion, I will give you more information on when they will be ready to start their review. How did the rehearsal go? Who will be the POC for the movement of PFC Manning? How often during any given week can Mr. Ganiel and Mr. Hall meet with PFC Manning at the FIU? Are there any day/time restrictions on their meetings?

Both Mr. Hall and Mr. Ganiel believe that a two-week time period is unrealistic to complete the verification process. Does the CA have a date that he would like the investigation to either be completed or for the defense experts to submit justification for additional time?

On an unrelated note, I spoke with COL Benedek last week. He was unaware of his pending appointment to the defense team. He told me that he believed he could act as the defense appointed expert, but that he would need speak to his boss to be sure. I haven't heard back from him yet.

Best,
David

David E. Coombs, Esq.
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Fall River, MA 02720
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coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, October 19, 2010 11:22 PM
To: coombs@armycourtmartialdefense.com
Subject: just for you

Sir. Just for you. When the command visited your client this week, he mentioned to them that he would like some help getting a hold of you because you both keep playing phone tag. Is the issue with the Brig or Command and if so what can we help with? Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From:	Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent:	Wednesday, October 20, 2010 2:53 PM
To:	'coombs@armycourtmartialdefense.com'
Cc:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject:	meeting tomorrow (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

We know you might be meeting with the SJA and Deputy tomorrow. You'd mentioned the possibility of meeting as well. If you still want to stop by, the morning is the best time for us – we have a meeting in the afternoon. See you (maybe) tomorrow.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

Classification: UNCLASSIFIED
Caveats: FOUO

From: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>

Sent: Wednesday, October 20, 2010 3:39 PM

To: 'coombs@armycourtmartialdefense.com'; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>

Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>

Subject: RE: PCRO Update (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

Please send your expert's thoughts on timing and when they are ready to start so we can plan the first of multiple meetings (I assume). The rehearsal went well and the JBM-HH DES is ready to transport PFC Manning from Quantico directly to the FIU. The FIU is ready to receive PFC Manning, except we will need to obtain the Full Name and SSN of your experts - please send at your earliest convenience. There are currently no date or time restrictions, although we would like to knock out the physical meetings during the week, but can possibly coordinate weekends, if needed. If the review process ends up taking more than two weeks, then please send a request a few days out so we can present it to the CA for his approval/disapproval of an extension.

As for a request for delay to start the PCR: Based on the PCRO, dated 22 Sep 10, your security expert consultant(s) were directed to start meeting with the accused NLT 8 Oct 10, absent an extension by the CA. Subsequently your security expert, through you, requested an additional expert, storage facilities, and ultimately a SCIF. The CA acted on that request on 12 Oct 10. I do not think the defense needs to request the extension as required by the PCRO because the subsequent order dated 12 Oct 10 essentially grants a de facto extension. Your security experts started to coordinate to meet ASAP with the accused and we are coordinating that meeting for you, as per the 12 Oct 10 order.

We are not sure how lines got crossed with COL Benedek. We were under the impression that he had been detailed to the case by Dr (COL) Ricky Malone, Chief, Forensic Psychiatry for DoD and the USA. It is possible that COL Benedek was confused about the Defense vs. Prosecution team.

CPT John Haberland (CCed) is the main POC from the prosecution team for coordinating with FIU and the escorts for PFC Manning. Please send the information requested above (full name and SSN of defense experts) to him so he may pass along the info to the FIU.

Thanks.

Ashden

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Thursday, October 21, 2010 8:50 AM
To: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: PCRO Update (UNCLASSIFIED)

Joe,

I met with Mr. Hall and Mr. Ganiel yesterday. They would like to start their work by meeting with PFC Manning at the FIU next Wednesday (27 October) at 1000. They anticipate this first meeting to last approximately three hours. This is the only meeting that they want to schedule for the first week. Based upon this meeting, they will be in a better position to determine how many additional meetings may be necessary and an estimated time-line for the verification process.

Mr. Hall and Mr. Ganiel have requested the following additional information:

a) A POC at the FIU - with a phone number to ensure the necessary arrangements have been made for the PCR. I will let Mr. Hall and Mr. Ganiel know that the FIU needs their full names and social security numbers. I believe they would like to give this information directly to the POC at the FIU instead of going through multiple layers;
b) Do the guards from the confinement facility understand that they cannot be inside the room with PFC Manning during the meeting with Mr. Hall and Mr. Ganiel? What arrangements have been made to ensure that this is not an issue;
c) PFC Manning's training records;
d) Any documentation PFC Manning has signed dealing with information security;
e) A list of all CI that PFC Manning has been read in on;
f) A list of any refresher training PFC Manning has received;
g) A list of any in-country training PFC Manning has received;
h) Who was the security manager at the time for the TSCIF PFC Manning worked in and can you give Mr. Ganiel and Mr. Hall contact information for this person;
i) What was the SOP for the TSCIF PFC Manning worked in;
j) What kind of entry/exit inspections were performed at the TSCIF;
k) A copy of the Security Classification Guide for the TSCIF;

With regards to the five discs that were previously given to the defense. These discs will likely assist in the verification process. Mr. Ganiel and Mr Hall would like to know if these discs are classified or not? If so, who classified the discs? What is the highest level of classification for the information on the discs? If the classification is unknown or uncertain, Mr. Hall and Mr. Ganiel would need to have a stand-alone system provided to them classified at TS-SCI (laptop with removable hard drive) for them to review the information on the five discs.
Let me know if you have any questions or concerns.

Best,
David

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From: coombs@armycourtmartialdefense.com
Sent: Thursday, October 21, 2010 9:25 AM
To: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: meeting tomorrow (UNCLASSIFIED)

Joe,

I haven't heard back from the DSJA or SJA on a good time to meet. If I don't hear soon, I may just stop by to say hello to you and Ashden. Can you give me a good address for your office to plug into my navigation system? Also, any chance I could pick up the unclassified CID file and other discovery?

Best,
David

David E. Coombs, Esq.
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, October 21, 2010 9:27 AM
To: coombs@armycourtmartialdefense.com; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: RE: meeting tomorrow (UNCLASSIFIED)

Sir. 1490 4th Street, SW. I think the DSJA and SJA will be calling you in a little bit. They have both been in and out over the past few days. I do not think we will have the File ready for pickup because we are still trying to get more info including answering the PCRO requests you sent this morning. We will have something ready tomorrow.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent: Thursday, October 21, 2010 9:27 AM
To: 'coombs@armycourtmartialdefense.com'
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: meeting tomorrow (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

See below.

The main gate for visitors is located at 1542 2nd Street SW, Washington DC. That address should work in Garmin and Google. Once you get through the gate, then:

1. drive straight until you get to a stop sign.
2. Turn right at stop sign.
3. Turn right at next stop sign which is at a T
4. Go straight with houses on left and go up to the T
5. Make a left at the T
6. Go straight until you get to the flagpole on your left and then make a right.
7. Go down the road between the two long buildings until you get to the stop sign.
8. Turn left again and the Legal office is on your right.
9. Park anywhere you can find a spot.
10. We are on the third floor.

I can give you an update on the case file when we meet.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, October 21, 2010 9:28 AM
To: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; 'coombs@armycourtmartialdefense.com'
Subject: RE: meeting tomorrow (UNCLASSIFIED)

Sir. I pushed send too fast. Should have relied on Joe. Please go with what Joe sent!

Ashden Fein
CPT, JA
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From: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent: Thursday, October 21, 2010 9:34 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; 'coombs@armycourtmartialdefense.com'
Subject: RE: meeting tomorrow (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir.

I apologize for the email barrage - Ashden is a little trigger-happy. What is your timeline? Ashden and I need to leave here about 1130-1145 or so for a meeting.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
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From: Haberland, John CPT MIL USA <john.haberland@us.army.mil>
Sent: Thursday, October 21, 2010 9:48 AM
To: coombs@armycourtmartialdefense.com; SESSOMS, Reginald O Mr CIV USA <REGINALD.SESSOMS@US.ARMY.MIL>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: PCRO Update (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

Mr. Reginald Sessoms will be your POC at the FIU facility. He can be contacted at 703-428-6031 and is in the "to" line of this email. Mr. Hall and Mr. Ganiels can provide their contact information directly to him. I will handle all other coordination for PFC Manning's visit to the FIU facility.

I have spoken with the MPs that will be giving PFC Manning a ride to the FIU facility. They will wait in an adjacent room until Mr. Hall and Mr. Ganiels finish their interview and then will transport PFC Manning back to the Marine facility. Please contact me if you have any questions or concerns about this meeting.

Very Respectfully,

CPT John B. Haberland
Regimental Judge Advocate
3rd U.S. Infantry Regiment (The Old Guard)
Office: (703) 696-3150
BB: (703) 244-5483
Cell: (860) 214-8328
Building 242, Fort Myer, Virginia 22211
NIPR: john.haberland@conus.army.mil
SIPR: John.haberland@us.army.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:14 PM
To: 'coombs@armycourtmartialdefense.com'; Kemkes, Matthew J MAJ MIL USA; Paul Bouchard
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Unclassified Discovery Request

Gents,

I am about to send you 14 emails with documents. They contain the bates stamped unclassified documents previously disclosed and all documentation up to Mr. Coombs taking the case. A total of 429 pages.

CPT Fein

Ashden Fein

CPT, JA

Chief, Military Justice

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:15 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 2 of 14
Attachments: Unclassified Discovery (ManningB) 101-200.pdf

Ashden Fein

CPT, JA

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:14 PM
To: 'coombs@armycourtmartialdefense.com'; Kemkes, Matthew J MAJ MIL USA; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 1 of 14
Attachments: Unclassified Discovery (ManningB) 1-100.pdf

Ashden Fein

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:17 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 3 of 14
Attachments: Unclassified Discovery (ManningB) 201-300.pdf

Ashden Fein

CPT, JA

Chief, Military Justice

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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:18 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 9 of 14
Attachments: Unclassified Discovery (ManningB) 351-360.pdf

Ashden Fein

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:17 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 8 of 14
Attachments: Unclassified Discovery (ManningB) 341-350.pdf

Ashden Fein

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:17 PM
To: 'coombs@armycourtmartialdefense.com'; Kemkes, Matthew J MAJ MIL USA; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 7 of 14
Attachments: Unclassified Discovery (ManningB) 331-340.pdf

Ashden Fein

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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:17 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 6 of 14
Attachments: Unclassified Discovery (ManningB) 321-330.pdf

Ashden Fein

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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:17 PM
To: 'coombs@armycourtmartialdefense.com'; Kemkes, Matthew J MAJ MIL USA; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 5 of 14
Attachments: Unclassified Discovery (ManningB) 311-320.pdf

Ashden Fein

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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:17 PM
To: 'coombs@armycourtmartialdefense.com'; Kemkes, Matthew J MAJ MIL USA; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 4 of 14
Attachments: Unclassified Discovery (ManningB) 301-310.pdf

Ashden Fein

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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:18 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 12 of 14
Attachments: Unclassified Discovery (ManningB) 381-390.pdf

Ashden Fein

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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:18 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 11 of 14
Attachments: Unclassified Discovery (ManningB) 371-380.pdf

Ashden Fein

CPT, JA

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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:18 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 10 of 14
Attachments: Unclassified Discovery (ManningB) 361-370.pdf

Ashden Fein

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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:18 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 14 of 14
Attachments: Unclassified Discovery (ManningB) 401-429.pdf

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 22, 2010 8:18 PM
To: 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Discovery 13 of 14
Attachments: Unclassified Discovery (ManningB) 391-400.pdf

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

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NIPR: ashden.fein@jfhqncr.northcom.mil

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From: coombs@armycourtmartialdefense.com
Sent: Tuesday, October 26, 2010 10:21 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: RE: Unclassified Discovery Request

Ashden,

Thank you. I have successfully received all 14 attachments.

Best,
David

David E. Coombs, Esq.
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From: coombs@armycourtmartialdefense.com
Sent: Thursday, October 28, 2010 5:00 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: Information Assurance Expert
Attach: IA Expert Request.pdf

Ashden - Joe,

I have attached a request for an information assurance expert. Mr. Hall and Mr. Ganiel met with PFC Manning last Wednesday. Based upon information that they received, they have asked that an IA expert be appointed to the defense team.

Mr. Hall and Mr. Ganiel believe that one or two more visits with PFC Manning will be needed. They have not given me a time line for completion of the PCR. They have, however, told me that they are reasonably confident that everyone will need a TS-SCI clearance.

Feel free to call me if you have any questions or concerns.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, October 28, 2010 6:36 PM
To: coombs@armycourtmartialdefense.com; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Cc: Matthew kemkes; Paul Bouchard
Subject: RE: Information Assurance Expert

Sir,

Thanks. Acknowledged. We owe you answers on this new request and your subsequent request providing your defense experts with specific information. We are diligently working the requests.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Friday, October 29, 2010 7:35 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: RE: Information Assurance Expert

Ashden,

Thank you. With regards to the five discs in question, do you have a time line for when the defense experts might be able to see the discs? Also, as mentioned last week, they will need a TS standalone system with a removable hard drive and a place to store it so they can review the material. Mr. Ganiel suggested that maybe the G-2 at the Pentagon could provide him and Mr. Hall with the work space/equipment needed. Let me know if you have any questions.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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From: coombs@armycourtmartialdefense.com
Sent: Friday, October 29, 2010 4:05 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: Defense Discovery Request
Attach: Discovery Request - Manning.pdf

Ashden - Joe,

Please see the attached discovery request in preparation for the Article 32. The items requested in sub-paragraph "j" are for the preliminary classification review. Let me know if you have any questions or concerns.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, October 29, 2010 4:06 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Zimmerman, Sara J. SGT USA JFHQ-NCR/MDW SJA; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: RE: Defense Discovery Request

Sir,

Are we to assume this supersedes your email request for the items for the PCR?

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Friday, October 29, 2010 4:16 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: RE: Defense Discovery Request

Ashden,

Many of the items are the same, but it does not supersede the earlier request. Let me know if you have any questions or concerns.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Sunday, October 31, 2010 11:08 AM
To: Foster, Chuck CIV JFHQ-NCR/MDW J4; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3; Herriott David Mr FMMC (FTMYER); Krebs, Dale R. CIV JFHQ-NCR/MDW J3; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4; Beale, Willie H. CDR USN JFHQ-NCR/MDW J4; Wolfe, Michael A. CIV JFHQ-NCR/MDW J4; 'matthew.kemkes@conus.army.mil'; 'michelle.borgnino@us.army.mil'
Subject: Re: Move safe to SJA? (UNCLASSIFIED)

Sir. The two POCs at ft myer for bldg 229 are MAJ Mat Kemkes and CPT Michelle Borgnino (both CCed). They are the trial defense services attorneys receiving the safe. Carolyn and I can assist with coordination but the are the main poc for receiving and placement.

MAJ Kemkes- any guidance for the group. Thanks.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

----- Original Message -----
From: Foster, Chuck CIV JFHQ-NCR/MDW J4
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3; Herriott David Mr FMMC (FTMYER); Krebs, Dale R. CIV JFHQ-NCR/MDW J3; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4; Beale, Willie H. CDR USN JFHQ-NCR/MDW J4; Wolfe, Michael A. CIV JFHQ-NCR/MDW J4
Sent: Sun Oct 31 08:55:41 2010
Subject: RE: Move safe to SJA? (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

I have a moving team here on Monday, 1 NOV (just got it coordinated at COB on Friday); would like to move the safe during Monday morning. Is Bldg 229 at Myer still the place for us to offload the safe; also any specific room; ground floor/basement/upper floor?. Movers will put the safe wherever you designate. What is good timeframe for me to work this into the schedule for the day; preferably in the morning. Will someone be there to show the movers where to place the safe? Will it be difficult for the box truck to access the building to offload the safe?

Appreciate any such support info you can provide to make this happen smoothly, efficiently for all parties involved. Thanks,

-----Original Message-----
From: Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Sent: Thursday, October 21, 2010 9:52 AM
To: Foster, Chuck CIV JFHQ-NCR/MDW J4
Subject: RE: Move safe to SJA? (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: FOUO

Mr. Foster, this safe is going to be moved to Fort Myer, are you able to assist with the movement?

-----Original Message-----
From: Foster, Chuck CIV JFHQ-NCR/MDW J4
Sent: Friday, October 08, 2010 4:39 PM
To: Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Cc: Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3; Krebs, Dale R. CIV JFHQ-NCR/MDW J3; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4
Subject: RE: Move safe to SJA? (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: FOUO

How are you intending to move this heavy safe to SJA area? Does this go on 1st or 3rd floor? How soon are you expecting to move the safe? I should have a moving team here in next couple of weeks if you want them to move it for you. If you are planning on moving it within SJA resources, please let me know so I don't think I need to be arranging to make it happen. Thanks,

Chuck Foster
Charles W. Foster, P.E.
Engr/Planner, J/G4
JFHQ-NCR/MDW
202-685-2001
chuck.foster@jfhqncr.northcom.mil

-----Original Message-----
From: Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3
Sent: Sunday, October 10, 2010 1:36 PM
To: Herriott David Mr FMMC (FTMYER); Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Foster, Chuck CIV JFHQ-NCR/MDW J4; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Cc: Krebs, Dale R. CIV JFHQ-NCR/MDW J3; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: RE: Move safe to SJA? (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: FOUO

Dave, Thanks for your assistance as always. Appreciate your input - looks like everything is on track.

CPT Fein, Thanks for weighing in on these emails. We want to ensure that we have followed all guidelines and it looks as though you have everything under control.

V/r Elizabeth
Elizabeth D. Ryan
Command Security Manager/SSR
JFHQ-NCR/Military District of Washington
Coml: 202.685.4085
DSN: 325.4085
FAX (U) 202.685.2955

-----Original Message-----
From: Herriott, David C Mr CIV USA IMCOM [mailto:David.C.Herriott@us.army.mil]
Sent: Sunday, October 10, 2010 1:25 PM

To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3; Foster, Chuck CIV JFHQ-NCR/MDW J4; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Cc: Krebs, Dale R. CIV JFHQ-NCR/MDW J3; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Re: Move safe to SJA? (UNCLASSIFIED)

Sir, Thanks for the update the safe will meet your requirements. If you need me to set a combination after it's moved please let me know? Additionally, I can look at your building door locks and key control?

Thanks,
Dave
David C. Herriott
Sr. Physical Security Specialist
Directorate of Emergency Services and
Executive Management Office
108 Sheridan Avenue
Fort Myer, VA 22211
(703) 696-8876-Office
(202) 236-4986-Cell/Blackberry

----- Original Message -----
From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
To: Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3 <Elizabeth.Ryan@jfhqncr.northcom.mil>; Herriott, David C Mr CIV USA IMCOM; Foster, Chuck CIV JFHQ-NCR/MDW J4 <Chuck.Foster@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>
Cc: Krebs, Dale R. CIV JFHQ-NCR/MDW J3 <Dale.Krebs@jfhqncr.northcom.mil>; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4 <Robert.Cheshire@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Sent: Sun Oct 10 13:18:18 2010
Subject: Re: Move safe to SJA? (UNCLASSIFIED)

All. Thank you. I think there is much confusion and we appreciate everyone's help. I briefed col coffman a few weeks ago because this is for our big new case. If you need affirmative confirmation we are going to prtesent an order for his signature for this and other aspects of this case next week.

Because its a four drawer safe we would like assistance from movers. It will be moving from the storage location at mcnair to the trial defense office at myers. When do tou expect the movers to be coming?

Thank you all.

Vr ashden
Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

----- Original Message -----
From: Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3
To: Herriott David Mr FMMC (FTMYER); Foster, Chuck CIV JFHQ-NCR/MDW J4; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Cc: Krebs, Dale R. CIV JFHQ-NCR/MDW J3; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Sent: Sun Oct 10 11:36:20 2010

Subject: RE: Move safe to SJA? (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: FOUO

Dave,

Don't you remember that we talked about this last week and you were going to get with Mike Presley but in the meantime indicated to me that there would not be a problem. Please check ASAP when you get back to work because SJA is ready to move the safe that will store up to Secret. The bldg as you recall, is over my the Thrift Shop. Help! I certainly hope that this is not going to
turn into a major problem. Dale already had a locksmith come out to reset the XO-8!

r/liz

-----Original Message-----
From: Herriott, David C Mr CIV USA IMCOM [mailto:David.C.Herriott@us.army.mil]
Sent: Sunday, October 10, 2010 11:31 AM
To: Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3; Foster, Chuck CIV JFHQ-NCR/MDW J4; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Cc: Krebs, Dale R. CIV JFHQ-NCR/MDW J3; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Re: Move safe to SJA? (UNCLASSIFIED)

Liz, I will need to see who has the keys to the building we may have to rekey! Did this all ran through COL Coffman, JBM-HH Commander? Will this area need to be alarmed? Just want ensure we cover all requirements.

Thanks,
Dave
David C. Herriott
Sr. Physical Security Specialist
Directorate of Emergency Services and
Executive Management Office
108 Sheridan Avenue
Fort Myer, VA 22211
(703) 696-8876-Office
(202) 236-4986-Cell/Blackberry

----- Original Message -----
From: Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3 <Elizabeth.Ryan@jfhqncr.northcom.mil>
To: Foster, Chuck CIV JFHQ-NCR/MDW J4 <Chuck.Foster@jfhqncr.northcom.mil>; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>
Cc: Krebs, Dale R. CIV JFHQ-NCR/MDW J3 <Dale.Krebs@jfhqncr.northcom.mil>; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4 <Robert.Cheshire@jfhqncr.northcom.mil>; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Herriott, David C Mr CIV USA IMCOM
Sent: Sun Oct 10 11:21:24 2010
Subject: RE: Move safe to SJA? (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: FOUO

Hi Chuck, I imagine that someone has responded to your query below. SJA is going to move the safe to one of their offices on Fort Myer. CPT Fein and CPT Morrow made the request. Hopefully they will weigh in on this one. I checked with Dave Herriott who gave "us" an okay to house the safe in bldg 229, Fort Myer. Trust this email helps a bit!

V/r Liz

Elizabeth D. Ryan
Command Security Manager/SSR
JFHQ-NCR/Military District of Washington
Coml: 202.685.4085
DSN: 325.4085
FAX (U) 202.685.2955

-----Original Message-----
From: Foster, Chuck CIV JFHQ-NCR/MDW J4
Sent: Friday, October 08, 2010 4:39 PM
To: Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Cc: Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3; Krebs, Dale R. CIV JFHQ-NCR/MDW J3; Cheshire, Robert T. CIV JFHQ-NCR/MDW J4
Subject: RE: Move safe to SJA? (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: FOUO

How are you intending to move this heavy safe to SJA area? Does this go on 1st or 3rd floor? How soon are you expecting to move the safe? I should have a moving team here in next couple of weeks if you want them to move it for you. If you are planning on moving it within SJA resources, please let me know so I don't think I need to be arranging to make it happen. Thanks,

Chuck Foster
Charles W. Foster, P.E.
Engr/Planner, J/G4
JFHQ-NCR/MDW
202-685-2001
chuck.foster@jfhqncr.northcom.mil

-----Original Message-----
From: Krebs, Dale R. CIV JFHQ-NCR/MDW J3
Sent: Friday, October 08, 2010 2:19 PM
To: Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Cc: Foster, Chuck CIV JFHQ-NCR/MDW J4; Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3
Subject: RE: Safe Repair (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: FOUO

Current projections are they will be here between 1445-1500. If this is a problem, please let me know?

-----Original Message-----
From: Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA
Sent: Friday, October 08, 2010 11:30 AM
To: Krebs, Dale R. CIV JFHQ-NCR/MDW J3
Subject: RE: Safe Repair (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: FOUO

Roger!

-----Original Message-----
From: Krebs, Dale R. CIV JFHQ-NCR/MDW J3
Sent: Friday, October 08, 2010 11:28 AM
To: Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA; Foster, Chuck CIV JFHQ-NCR/MDW J4

Cc: Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3
Subject: Safe Repair (UNCLASSIFIED)
Classification: UNCLASSIFIED
Caveats: FOUO

Fedlock should be here to fix the safe around 1400. Carolyn I will give you a call when he gets here it should take between 15 -30 minutes to repair. Then all you need to do is show up with your GPC Card. If you have any questions please give me a call

Mr. Dale R. Krebs
Security Specialist
SMO: W0GVAA5
Phone: 202-685-1716
DSN: 325-1716
FAX: 202-685-2955
Building 42 Room 20
Fort McNair, DC 20319

Classification: UNCLASSIFIED
Caveats: FOUO

From: coombs@armycourtmartialdefense.com
Sent: Monday, November 1, 2010 5:51 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Hall Cassius Mr FMMC (FTMYER) <cassius.hall@us.army.mil>; Charles Ganiel <Charles.Ganiel@us.army.mil>
Subject: PCR Information

Ashden,

Mr. Hall and Mr. Ganiel need to obtain the following additional information for their PCR. I have cc'd them on this request.

Please send them the damage assessments that were conducted by the OCAs in this case. They also want the SCG used to classify the information. Finally, they have asked for the government computer link to the video that was allegedly released by PFC Manning.

Feel free to call me if you have any questions or concerns.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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Filename: RE: PCR Information.msg

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@organization.com>

Sent: Monday, November 1, 2010 6:00 PM

Subject: RE: PCR Information

Size: 49KB (49,664 bytes)

From: coombs@armycourtmartialdefense.com
Sent: Monday, November 1, 2010 9:27 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Hall Cassius Mr FMMC (FTMYER) <Cassius.Hall@us.army.mil>; Charles Ganiel <Charles.Ganiel@us.army.mil>
Subject: RE: PCR Information

Ashden,

I agree with you in principle. However, I think the question becomes "when are they acting in their defense capacity?" Given the unique nature of the PCRO, I believe Mr. Hall and Mr. Ganiel are currently acting in their government capacity. How else can they be expected to conduct a verification review to accurately determine the classification level of information in the case?

Under the PCRO, Mr. Hall and Mr. Ganiel are not only limited in what they can share with the government, given the fact not everyone on the defense team has the requisite security clearances, they cannot currently share this information with the defense. However, once they complete their work and determine the classification level of information involved in the case, then appropriate steps will be taken to ensure everyone involved in the case has the requisite clearances.

After this is done, then the defense will be able to discuss with our client any information that was shared with Mr. Hall and Mr. Ganiel. Additionally, Mr. Hall and Mr. Ganiel will be able to discuss this same information with the defense team.

Does this make sense to you? I am free tomorrow anytime after 1500 for a telephone conversation.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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Filename: RE: PCR Information.msg

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@organization.com>

Sent: Tuesday, November 2, 2010 8:45 AM

Subject: RE: PCR Information

Size: 54KB (54,272 bytes)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, November 02, 2010 12:29 PM
To: Krebs, Dale R. CIV JFHQ-NCR/MDW J3
Cc: Kemkes, Matthew J MAJ MIL USA; Ryan, Elizabeth D. CIV JFHQ-NCR/MDW J3; Autry, Carolyn D Mr CIV USA MDW; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Borgnino, Michelle CPT MIL USA; coombs@armycourtmartialdefense.com
Subject: Safe Moving!

Dale,

Thank you very much for the assistance with acquiring the safe and moving the safe! The defense attorneys now have their own safe and we can keep progressing forward. As for the combination, MAJ Matt Kemkes (Senior Defense Counsel) will set/sign for the combo. He will likely contact you shortly to determine what the combo is, to start using the safe. He is CCed. Thank you again!

CPT Fein

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, November 02, 2010 7:04 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose, Luke CPT USD-C SJA Chief, Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: Defense Requests Updates (US v. Manning)
Attachments: Memo for Brig - Defense Team Members (ManningB).pdf

Sir,

Below is a summary of our conversation and answers to your recent email requests. Please mail or deliver the original Protective Order acknowledgments to this office, as soon as possible. If you won't be able to mail the original in the next week, then please send us a digital copy with the original to follow.

Email, 21 Oct 10 (PCR Request)
(a) OBE
(b) Memo Attached.
(c)-(g) We will turn over in the next few days.
(h)-(j) We believe this information is irrelevant for the purposes of the PCR. The experts should focus solely on the substantive information.
(k) We will provide your experts with hard copies of the security classification guides in effect at the time the accused was in Iraq. They will be hardcopies provided after the Army G2 approval.
(l) Five disks- We will not turn over these disks. They require OCA approval; however they are currently classified no higher than SECRET. This is a derivative classification done by CID based on the information contained within the reports that were on the discs.
(m) Stand alone computers-We are currently working on obtaining authorization from the G-2 of the Army to allow the defense experts to utilize JWICS and SIPRNET in order to conduct the PCR. This authorization will also include an exception to policy that will allow the defense experts to use external hard drives on these classified information systems in order to segregate and store confidential defense information. INSCOM will provide storage space for the defense above the SECRET level.

Email, 28 Oct 10 (IA Request)
- Based on the justification provided by the security experts, we do not believe an IA expert is necessary for the purposes of the PCR. The experts should focus solely on the substantive information. An IA expert may be necessary at a later date, depending on the justification provided by the defense.
- You will approach this subject again with your experts to see if they actually require an IA expert to conduct the PCR based on the accused's debriefing and their research of the substantive information.

Email, 29 Oct 10 (PCR Review)
- See (l)-(m) of Email (21 Oct 10) response above.

Defense Discovery Request, 29 Oct 10
- This is an on-going discovery request, we will fulfill as appropriate.

Email, 1 Nov 10 (PCR Review)
- To our knowledge, no OCA has conducted any damage assessment with respect to the compromise material in this case.

- We do not have a computer link to the video that was allegedly released by PFC Manning, although we believe that this isn't necessarily necessary to conduct the PCR, based on the SCGs we will provide.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: coombs@armycourtmartialdefense.com
Sent: Thursday, November 4, 2010 4:40 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: Update

Ashden,

I have requested my co-counsel to fill out the acknowledgement to the Protective Order and to give it to you when they return from New Developments. I will email a copy of my signed acknowledgement to you tomorrow, and will either mail or drop off the original.

Today, I spoke with Mr. Hall and Mr. Ganiel. I explained to them the government's determination regarding the requested information about the TSCIF and the five discs. I also explained the government's position that their PCR should focus solely on the substantive information that they receive from PFC Manning. Based upon this information, Mr. Hall and Mr. Ganiel will stop their work until they receive authorization to access to JWICS and SIPRNET for the PCR. Please let me know the expected time line for this decision so that I may inform Mr. Hall and Mr. Ganiel.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, November 05, 2010 12:42 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose,Luke CPT USD-C SJA Chief,Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: RE: Update

Sir,

We expect the convening authority to have an answer from the Army G2 NLT Mon/Tue of next week. We will then present the appropriate documents to the convening authority for his signature.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Monday, November 8, 2010 2:11 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: RE: Unclassified Discovery (US v. Manning)
Attach: Coombs - Protective Order.pdf; Bouchard Protective Order.JPG

Ashden,

The unclassified discovery that you sent Friday contained confidential information (000449). This information cannot be sent over NIPRNet. According to Mr. Ganiel, you need to report this violation to your IA, and have this information removed from the NIPRNet and the computers that received the documentation. You should then renumber the unclassified discovery, and resend the document.

This is the second time that we have had an unauthorized release of information by the government. I want to ensure that we are doing everything we can to avoid having future such instances - especially by the defense. Please request that the convening authority act on the defense IA request. I understand that your position is that the request is not ripe, but I believe recent events indicate the need for an IA expert for both the defense and the government.

I have also attached the signed protective orders by CPT Bouchard and myself. MAJ Kemkes should be sending his shortly. Feel free to call me if you have any questions.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: coombs@armycourtmartialdefense.com
Sent: Monday, November 8, 2010 2:12 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: RE: Unclassified Discovery (US v. Manning)
Attach: Coombs - Protective Order.pdf; Bouchard Protective Order.JPG

Ashden,

The unclassified discovery that you sent Friday contained confidential information (000449). This information cannot be sent over NIPRNet. According to Mr. Ganiel, you need to report this violation to your IA, and have this information removed from the NIPRNet and the computers that received the documentation. You should then renumber the unclassified discovery, and resend the document.

This is the second time that we have had an unauthorized release of information by the government. I want to ensure that we are doing everything we can to avoid having future such instances - especially by the defense. Please request that the convening authority act on the defense IA request. I understand that your position is that the request is not ripe, but I believe recent events indicate the need for an IA expert for both the defense and the government.

I have also attached the signed protective orders by CPT Bouchard and myself. MAJ Kemkes should be sending his shortly. Feel free to call me if you have any questions.

Best,
David
David E. Coombs, Esq.
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45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
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From: Kemkes, Matthew J MAJ MIL USA <matthew.kemkes@us.army.mil>
Sent: Monday, November 8, 2010 2:59 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT MIL USA <john.haberland@us.army.mil>; coombs@armycourtmartialdefense.com; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: RE: Unclassified Discovery (US v. Manning) (UNCLASSIFIED)
Attach: Acknowledgment of Protective Order - Kemkes.pdf

Classification: UNCLASSIFIED
Caveats: FOUO

CPT Fein,

Please find my acknowledgment attached. I'll give you the original the next time I'm at Fort McNair.

Respectfully,
MAJ Kemkes

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, November 08, 2010 3:38 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose,Luke CPT USD-C SJA Chief,Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: RE: Unclassified Discovery (US v. Manning)

Sir. We acknowledge the error and are working to remedy the situation with our Security and IA personnel. We will reevaluate the IA request, although we do not concede that the current issue is prima facie evidence for the need of an IA expert at this time. Your security experts were able to identify an issue and brought to your attention. Thank you for the protective orders. We are working to get the signed Army G2 authorization and an updated Discovery Answer (430-449) sent out to you, once the security folks give us a green light.

All other persons on this email, please delete the previous email and then delete it from your "Deleted Items." Thank you.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel [paul.r.bouchard@mnd-b.army.mil]
Sent: Wednesday, November 10, 2010 1:33 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Subject: RE: Unclassified Discovery (US v. Manning)
Signed By: paul.r.bouchard@us.army.mil

Ashden:

I know Mr. Coombs e-mailed you my acknowledgment of Protective Order for Classified Information, but I need to mail you my original copy. What is your address?
Please let me know asap. I'll mail it to you right away. You should get it in 7-8 days.

Thanks,
Paul

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, November 10, 2010 7:26 AM
To: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: RE: Unclassified Discovery (US v. Manning)

SGT Z - please send info. Thanks.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, November 10, 2010 1:04 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose,Luke CPT USD-C SJA Chief,Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: Unclassified Discovery & IS Authorization (US v. Manning)
Attachments: 10-Nov-10-Army G2 Approval Memo (ManningB).pdf; 10-Nov-05-SPCMCA Request for Defense Access to Information Systems (ManningB).pdf; 10-Nov-10-SPCMCA Supplemental Guidance to PCR (ManningB).pdf; Unclassified Discovery (000430-000450) (ManningB).pdf; 10-Nov-10-Excludable Delay Memorandum (ManningB).pdf

Sir. We are still working the IA expert consultant request to determine availability. We expect to present this request to the convening authority at our next appointment. Attached are the following documents:

1. Unclassified Discovery (430-450). This is the sanitized version without the facially classified document. More to follow on the procedures that must be followed based on the previous email.
2. SPCMCA & Army G2 approval Memos. These is the approval for your security expert consultants to use SIPR & JWICS, along with harddrives, etc. for the PCR.
3. Excludable Delay Memo. Memo signed by the SPCMCA excluding the time since the last memo to today as excludable time under RCM 707.

Have a good Veterans Day.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From:	Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel [paul.r.bouchard@mnd-b.army.mil]
Sent:	Thursday, November 11, 2010 3:50 AM
To:	JFHQNCR JIOCC OMB; Matthew kemkes; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose, Luke CPT USD-C SJA Chief, Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Cc:	Bradley, Corey L. COL USA JFHQ-NCR/MDW SJA; Brooks, Frank K. COL USAF JFHQ-NCR/MDW J6; Daniel, Henry Jr. CIV JFHQ-NCR/MDW J6; Dowling, Larry CIV JFHQ-NCR/MDW J6
Subject:	RE: Classified Spillage Incident - (US V. Manning) (UNCLASSIFIED)
Signed By:	paul.r.bouchard@us.army.mil

Dear Mr. Hahl:

I have completed steps 1 and 2 regarding the classified spillage incident. I have called our incident assurance rep (step 3), and I'm waiting to hear back from them.

I will keep you posted.

Respectfully,
CPT Bouchard

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel [paul.r.bouchard@mnd-b.army.mil]
Sent: Thursday, November 11, 2010 3:54 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: RE: Unclassified Discovery (US v. Manning)
Signed By: paul.r.bouchard@us.army.mil

SGT Zimmerman:

I need CPT Fein's address (physical address and not e-mail address) because I need to mail him a form. Please send me his address at your earliest convenience.

Thank you, and happy Veterans Day.

Respectfully,

CPT Paul Bouchard

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From:	Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel [paul.r.bouchard@mnd-b.army.mil]
Sent:	Thursday, November 11, 2010 6:41 AM
To:	JFHQNCR JIOCC OMB; Matthew kemkes; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose, Luke CPT USD-C SJA Chief, Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Cc:	Bradley, Corey L. COL USA JFHQ-NCR/MDW SJA; Brooks, Frank K. COL USAF JFHQ-NCR/MDW J6; Daniel, Henry Jr. CIV JFHQ-NCR/MDW J6; Dowling, Larry CIV JFHQ-NCR/MDW J6
Subject:	RE: Classified Spillage Incident - (US V. Manning) (UNCLASSIFIED)
Signed By:	paul.r.bouchard@us.army.mil

Mr. Hahl:
I've completed steps 1, 2, and 3 in regard to the classified spillage incident.

Respectfully,
CPT Bouchard

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, November 11, 2010 7:02 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose,Luke CPT USD-C SJA Chief,Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: Unclassified Discovery (US v. Manning)
Attachments: Unclassified Discovery (000451-000474) (ManningB).pdf

Sir. Attached to this email are more older documents to complete the record. Happy Veterans Day.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel <paul.r.bouchard@mnd-b.army.mil>
Sent: Monday, November 15, 2010 2:11 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Request from CPT Bouchard

Ashden:

I didn't get your address from your NCO.
Just want to mail you the Protective Order for classified info.

Thanks,

Paul

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, November 15, 2010 6:14 AM
To: 'paul.r.bouchard@mnd-b.army.mil'
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Re: Request from CPT Bouchard

Paul. Sorry. It was a 4 day weekend. I am in transit today but I am sure she will send. If not then let me know.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel <paul.r.bouchard@mnd-b.army.mil>
Sent: Monday, November 15, 2010 7:58 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: Request from CPT Bouchard

Roger. No problem, Ashden.
Later.
Paul

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: coombs@armycourtmartialdefense.com
Sent: Monday, November 15, 2010 2:40 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: Discovery Request
Attach: Discovery Request - 15 Nov.pdf

Ashden,

Thank you for the additional discovery. I hope you enjoyed your Veteran's Day as well. I have attached a supplemental defense discovery request. Please let me know if you have any questions.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, November 16, 2010 8:40 AM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose,Luke CPT USD-C SJA Chief,Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: RE: Discovery Request

Sir. Acknowledge receipt. Any update on the PCR? Did your experts get the appropriate access they needed? Do they need or want an additional meeting with the Accused? Ideally, we would like 4 days notice to coordinate the movement, so please let us know. Thanks.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, November 16, 2010 8:48 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: RE: Discovery Request

Ashden,

Mr. Hall and Mr. Ganiel would like to meet with PFC Manning again (ideally this week). They have sent an email to Mr. Sessoms to try to coordinate such a meeting. I have a feeling, however, that Mr. Sessoms just controls access to the SCIF. Who do we need to coordinate with to arrange for the actual movement of PFC Manning?
I believe Mr. Hall and Mr. Ganiel have the appropriate access to conduct their PCR. I will let you know if they raise any concerns with me.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, November 16, 2010 8:49 AM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose,Luke CPT USD-C SJA Chief,Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: RE: Discovery Request

Sir. CPT John Haberland (CCed) will coordinate all travel and with the FIU for the meeting location. We will try to setup a meeting for Friday. Thanks.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, November 16, 2010 3:42 PM
To: Koblentz, Marc G. MAJ USAF JFHQ-NCR/MDW SJA
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose,Luke CPT USD-C SJA Chief,Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA; coombs@armycourtmartialdefense.com; Hahl, Michael CIV JFHQ-NCR/MDW J6
Subject: Unclassified Email

Sir- In the CC line is the contact information for all the participants in the email.

All others- Maj Koblentz is the AR 15-6 investigating officer for a security investigation initiated by the CoS, MDW in reference to the spillage of discovery information.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, November 18, 2010 4:18 PM
To: coombs@armycourtmartialdefense.com
Subject: Brig Commo (US v. Manning)

Sir. According to the Brig, PFC Manning has made some comments to the confinement personnel about him thinking his communications with you and the defense team are being monitored. Could you please assure your client that no communications between ya'll are being monitored, which is why you meet in a separate room than normal visitors. Thank you.

Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel <paul.r.bouchard@mnd-b.army.mil>
Sent: Friday, November 19, 2010 2:37 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Message from CPT Bouchard

Ashen:

Hate to bug you with this, but I still haven't received your physical address from your NCO.
Just want to mail you the signed form.

Thanks,
Paul

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, November 19, 2010 7:47 AM
To: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel
Subject: RE: Message from CPT Bouchard

Thanks for letting me know. Things have been quite hectic.

Office of the Staff Judge Advocate
103 3rd Avenue SW, Building 32, Suite 300
Fort Lesley J. McNair, DC 20319-5058

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
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CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel [paul.r.bouchard@mnd-b.army.mil]
Sent: Friday, November 19, 2010 7:51 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Subject: RE: Message from CPT Bouchard
Signed By: paul.r.bouchard@us.army.mil

Thanks, Ashden.
Much appreciated.
Paul

CPT Paul Bouchard
Senior Defense Counsel
Camp Liberty, Iraq
DSN: 318-847-3047
Svoip: 302-242-4726

From: coombs@armycourtmartialdefense.com
Sent: Friday, November 19, 2010 9:24 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: Brig Commo (US v. Manning)

Ashden,

I have heard of the same concern from him, and I understand why he is worried. The guards usually stand outside of the booth and constantly look in to ensure everything is fine. This brings up an issue that I want to ask for your assistance on.

The defense needs a workable solution to the problem of being able to prepare with PFC Manning. The confinement facility will only let me meet with him in their no-contact booths. They also keep his hand and leg restraints on when he speak with me. Additionally, the entire defense team could never meet with PFC Manning at the same time under this requirement. I believe the fix is to bring PFC Manning to an office that the defense could use either at Quantico or at a nearby TDS office on an Army installation.

I am traveling today, but would like to talk to you about this and some other minor issues on Monday if you are available. Have a good weekend.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, November 19, 2010 9:35 AM
To: 'coombs@armycourtmartialdefense.com'
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Re: Brig Commo (US v. Manning)

Sir. I am available. Let's chat so we can get the best conditions set. Have a good weekend.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, November 19, 2010 7:39 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose,Luke CPT USD-C SJA Chief,Military Justice; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: Unclassified Discovery (US v. Manning)
Attachments: Unclassified Discovery (000475-000662) (ManningB).pdf

Sir,

Attached are the CENTCOM security classification guides (SCGs) in effect during PFC Manning's deployment. The CENTCOM guides are unclassified (FOUO). Please pass these to your security experts. Also, there is an additional guide from MNFI which is classified. I just sent an email with the guide attached to Mr. Ganiel for his and Mr. Hall's use during the PCR. Once the PCR is complete and we move to get you and the rest of the defense team the proper authorizations, the guide will be available as part of general discovery. I already bates stamped the guide on the classified side. We are still working the IA expert request. Have a great weekend.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: coombs@armycourtmartialdefense.com
Sent: Monday, November 22, 2010 1:03 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Quick Chat

Ashden,

I am free from 14:00 to 15:00 and then again anytime after 1600. Is there a good time for you?

Best,
David

David E. Coombs, Esq.
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45 North Main Street, 5th Floor
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, November 22, 2010 1:21 PM
To: 'coombs@armycourtmartialdefense.com'
Subject: Re: Quick Chat

Sir. Let's do after 1600. Thanks.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Monday, November 22, 2010 1:41 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: Quick Chat

Sounds good. I will give you a call at 1600ish.

Best,
David

David E. Coombs, Esq.
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, November 22, 2010 3:59 PM
To: coombs@armycourtmartialdefense.com
Subject: 1630

Sir. are you good for 1630? Sorry.

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Monday, November 22, 2010 4:07 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: 1630

1630 works for me.

David E. Coombs, Esq.
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From: coombs@armycourtmartialdefense.com
Sent: Monday, November 29, 2010 1:40 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Rose,Luke CPT USD-C SJA Chief,Military Justice <luke.rose@mnd-b.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: Investigative Request
Attach: Investigative Expert Request.pdf

Ashden - Joe,

I hope you had a pleasant Thanksgiving. I have attached a request for investigative assistance. I also wanted to touch base with you on a couple of other issues.

1) I know that you stated you expected to have a new charge sheet in the case. Do you have a idea when that would occur?

2) Once you are able to raise the issue, can you give me an update on your discussions with Quantico on the POI restrictions for PFC Manning? In addition to the issue of not being able to have personal possessions in his cell, have a pillow, or a sheet - the POI also prevents him from exercising. Apparently, the facility is concerned that he would hurt himself if he exercised. If PFC Manning attempts to do push-ups or any other form of exercise, the guards will immediately instruct him to stop. As I mentioned before, it appears the command is ignoring the recommendation of Capt Hocter to take PFC Manning off of POI. I believe the restrictions do rise to the level of Article 13 punishment. I am hoping that you will make more headway than I did on this issue.

3) Defense Visit: I plan to come to D.C. on December 13 - 16. I am hoping that you can coordinate the office issue in order to meet with PFC Manning in some location other than the no-contact booths for a couple of those days. Also, during that time, I would like to sit down with you and Joe to have a discussion on the case. Is there a good time for the two of you during that week?

4) Computer Forensics: Do you know the results of the computer forensics by SA Robertson and SA Shaver? If so, when do you believe Mr. Lakes will have access to the hard drives and CID's reports? Additionally, I understand that you can't share the information with me yet, but I would like to talk to you about the general results of those reports. Are you available for a discussion sometime this afternoon?

Feel free to call me if you have any questions or concerns.

Best,
David

David E. Coombs, Esq.
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, November 29, 2010 6:26 PM
To: 'coombs@armycourtmartialdefense.com'
Cc: Matthew kemkes; 'paul.r.bouchard@mnd-b.army.mil'; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; 'luke.rose@mnd-b.army.mil'; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: Re: Investigative Request

Sir. Sorry we didn't get back to you sooner. Been incredibly busy today as you can imagine. Will you be available around 1030 tomorrow morning?

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Monday, November 29, 2010 7:22 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; luke.rose@mnd-b.army.mil; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: RE: Investigative Request

10:30 works for me.

Best,
David

David E. Coombs, Esq.
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From: coombs@armycourtmartialdefense.com
Sent: Tuesday, November 30, 2010 12:30 PM
To: John Haberland <john.haberland@us.army.mil>
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: Manning Visit at Fort Belvoir

John,

I have been told that you are the man in order to coordinate transportation of PFC Manning to Fort Belvoir. I would like to meet with PFC Manning on the 14th and 15th of December starting at 0900 if possible.

I have a few administrative issues that I would appreciate clarification on:

1) Could you tell me where I will be meeting PFC Manning on both of those days? Is at the TDS offices, the SJA or some other building? Will I have the ability to print documents and make copies?

2) I anticipate that our meeting on each day will last most of the day. The unit may want to coordinate lunch for the escorts and Manning on both of those days.

3) Will PFC Manning be allowed to have the hand and leg restraints removed while in the office with me and the defense team?

4) Will he be transported in ACUs? I do not want him to be shuffled into a building while still wearing a prison jump suit. I envision a photo being taken of him and then ending up in the media.

Please feel free to call me if you need any additional information from me.

Best,
David

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, November 30, 2010 12:35 PM
To: coombs@armycourtmartialdefense.com; John Haberland
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; Paul Bouchard
Subject: RE: Manning Visit at Fort Belvoir

Sir. As far as the jump suit, there should be no issue with that. The FIU is on a portion of FGVA not readily available to the public.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
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CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, November 30, 2010 12:41 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; John Haberland <john.haberland@us.army.mil>
Subject: RE: Manning Visit at Fort Belvoir

Ashden,

I don't feel comfortable with defense counsel meetings at the FIU. Why not just the TDS offices or an office that is under the SJA control but not currently being used? Also, it is much easier to avoid the whole issue by just placing him in ACUs before his leaves with the unit escort.

Best,
David

David E. Coombs, Esq.
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From: coombs@armycourtmartialdefense.com
Sent: Tuesday, November 30, 2010 12:50 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; John Haberland <john.haberland@us.army.mil>
Subject: RE: Manning Visit at Fort Belvoir

Ashden,

I want to have our client meetings at MAJ Kemkes' office. In any other case where a soldier is in PTC, MAJ Kemkes could ask the unit to have him/her brought to his office for pretrial preparations. Additionally, when the soldier is brought to see his TDS counsel, he is always in ACUs. PFC Manning should not be any different.

Best,
David

David E. Coombs, Esq.
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, November 30, 2010 1:03 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; Paul Bouchard; John Haberland
Subject: RE: Manning Visit at Fort Belvoir

Sir,

We will look into your requests regarding the location and uniform; however unlike other clients of MAJ Kemkes, your client is in a Maximum Custody status. The FIU provides physical security and a more secluded environment to provide you, your team, and your client the most flexibility and the most room to sit down and freely discuss the case. I do not know what changed between our phone conversation and now, but we consider the FIU the best location because of the previously conducted security rehearsals with the escorts and MPs, as well as, the physical security concerns. The FIU affords the most privacy and security and is closer to Quantico.

Also, once the authority is granted for classified discussions, MAJ Kemkes office will be an issue if someone is within ear shot of the discussions and does not have a clearance or need to know. This will not occur at the FIU. Just to be clear, the FIU is on the Northern portion of FBVA and is in a remote location. The facility is actually underground and has very few to no inhabitants because the agents are mostly TDY.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, November 30, 2010 1:22 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; John Haberland <john.haberland@us.army.mil>
Subject: RE: Manning Visit at Fort Belvoir

Ashden,

I am sorry, but I did not hear you mentioned having the defense meetings at the FIU building during our earlier conversation. I may have missed that being said due to the fact that occasionally you and Joe cancel each other out by being on speaker-phone. Had I heard you say this, I would have told you that I didn't think that was a good idea.

I understand that PFC Manning is on maximum custody. He really shouldn't be however. Also, I have had other clients, most notably SGT Akbar, that were on maximum custody but still brought to the TDS offices for pretrial preparation meetings.

Additionally, the concern over others being within ear shot during defense discussions can be address by me and MAJ Kemkes. This would not be a basis for the defense deciding to use the FIU building. I concurred with the use of the FIU for the PCR because it was the right thing to do, and the appearance issue could be managed. Asking TDS and myself to use the FIU to conduct our defense preparations is something that just looks bad and is a nonstarter.

Please make the arrangements to have PFC Manning brought to MAJ Kemkes' office in ACUs. If you feel that this is an unreasonable request or are inclined to not support the request, please let me know.

Best,
David

David E. Coombs, Esq.
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coombs@armycourtmartialdefense.com
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, November 30, 2010 1:33 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; Paul Bouchard; John Haberland
Subject: RE: Manning Visit at Fort Belvoir

Sir. I understand your concerns and that FIU was originally chosen because it's a SCIF as well. We are reviewing the Brig policies and will make every effort to make this happen, within the confines of the rules. Also for the uniform issue, the Soldiers in the NCR that show up to defense counsel's office in uniform, do so after the unit takes them back to the unit and allows them to change. This might still be able to occur, but would you prefer your client to go to the unit and change first, or go directly to TDS and change there? For Ft Myer, the TDS office is more remote and provides your client more privacy than the HHC, USAG company area.

We will continue to work this issue.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, December 1, 2010 7:47 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; John Haberland <john.haberland@us.army.mil>
Subject: RE: Manning Visit at Fort Belvoir

Ashden,

I know the Quantico does not allow PFC Manning to leave in a service uniform unless he is going to an Article 32 or a court-martial hearing. I recommend treating PFC Manning like any other PTC. Have him taken to the unit, change into ACUs, and then bring him to MAJ Kemkes' office at Myer.

I asked PFC Manning's aunt about his uniforms, and she told me that she does not have any. I will continue to see if I can't locate the uniforms.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, December 01, 2010 7:49 AM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; Paul Bouchard; John Haberland
Subject: RE: Manning Visit at Fort Belvoir

Sir. Thanks. The unit will ensure he has the proper uniforms and we will have an answer within the week on how we will move, clothe, and restrain PFC Manning when he leaves Quantico and meets with your team at Ft Myer.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>

Sent: Wednesday, December 1, 2010 8:57 AM

To: 'coombs@armycourtmartialdefense.com'; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>

Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; John Haberland <john.haberland@us.army.mil>

Subject: RE: Manning Visit at Fort Belvoir (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir.

We located his Class As and other uniforms and are working on getting them to the unit.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Friday, December 3, 2010 5:16 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; John Haberland <john.haberland@us.army.mil>
Subject: POI Issue

Ashden,

I was wondering if you had an update on the POI issue with PFC Manning. I have spoken with the confinement facility about PFC Manning's alleged behavior. The report concerning the "licking" was apparently from one guard.

Capt. Hocter saw PFC Manning on Thursday. It is my understanding that after speaking with PFC Manning, he is still recommending that the POI restrictions be lifted. As mentioned earlier, given the recommendation of Capt. Hocter, I do not believe the confinement facility has a legitimate non-punitive basis to keep PFC Manning on the POI status. Additionally, it is my understanding that other than in this instance, the confinement facility has never had anyone under POI restrictions for this length of time. This fact also cuts against a legitimate non-punitive basis.

I am hoping that this issue can be resolved in the short term. Let me know if you have any questions or concerns.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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Filename: Re: POI Issue.msg

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@organization.com>

Sent: Friday, December 3, 2010 6:01 PM

Subject: Re: POI Issue

Size: 37KB (36,864 bytes)

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, December 8, 2010 11:51 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil
Subject: Update
Attach: Defense Discovery - 8 Dec .pdf

Ashden,

I wanted to confirm that the government has made the necessary transportation arrangements to have PFC Manning sent to Fort Myer on the 14th and 15th. Also, how is the POI issue coming along? My understanding is that Capt. Hocter is still recommending that the POI be lifted. Finally, I have attached an additional defense discovery request. Let me know if you have any questions or concerns.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
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From: Haberland, John CPT MIL USA <john.haberland@us.army.mil>
Sent: Wednesday, December 8, 2010 1:53 PM
To: coombs@armycourtmartialdefense.com; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil
Subject: RE: Update (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

We are prepared for the movement on 14 and 15 December. PFC Manning will be at the TDS Office on Fort Myer at 0900 each day. If possible I would like to give the escorts and the Brig a completion time so that they can determine if they need to feed PFC Manning dinner or not.

Thank you for your help, Sir.

Very Respectfully,

CPT John B. Haberland
Regimental Judge Advocate
3rd U.S. Infantry Regiment (The Old Guard)
Office: (703) 696-3150
BB: (703) 244-5483
Cell: (860) 214-8328
Building 242, Fort Myer, Virginia 22211
NIPR: john.haberland@conus.army.mil
SIPR: john.haberland@us.army.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, December 8, 2010 2:03 PM
To: Haberland,John CPT MIL USA <john.haberland@us.army.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: Update (UNCLASSIFIED)

John,

Thank you for the quick reply. Let's plan on completing on both days by 1500. Would that work for the government?

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
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Office: (508) 674-6006
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> -------- Original Message --------
> Subject: RE: Update (UNCLASSIFIED)
> From: "Haberland, John CPT MIL USA" <john.haberland@us.army.mil>
> Date: Wed, December 08, 2010 1:52 pm
> To: <coombs@armycourtmartialdefense.com>, "Fein,Ashden CPT USA JFHQ-NCR/MDW SJA" <Ashden.Fein@jfhqncr.northcom.mil>
> Cc: "Morrow III,JoDean,CPT USA JFHQ-NCR/MDW SJA" <JoDean.Morrow@jfhqncr.northcom.mil>, "Kemkes, Matthew J MAJ MIL USA" <matthew.kemkes@us.army.mil>, <paul.r.bouchard@mnd-b.army.mil>
>
> Classification: UNCLASSIFIED
> Caveats: FOUO
>
> Sir,
>
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>
> Thank you for your help, Sir.

Very Respectfully,

CPT John B. Haberland
Regimental Judge Advocate
3rd U.S. Infantry Regiment (The Old Guard)
Office: (703) 696-3150
BB: (703) 244-5483
Cell: (860) 214-8328
Building 242, Fort Myer, Virginia 22211
NIPR: john.haberland@conus.army.mil
SIPR: john.haberland@us.army.smil.mil

From: coombs@armycourtmartialdefense.com [mailto:coombs@armycourtmartialdefense.com]
Sent: Wednesday, December 08, 2010 11:51 AM
To: Fein,Ashden CPT USA JFHQ-NCR/MDW SJA
Cc: Morrow III,JoDean,CPT USA JFHQ-NCR/MDW SJA; Kemkes, Matthew J MAJ MIL USA; paul.r.bouchard@mnd-b.army.mil; Haberland, John CPT MIL USA
Subject: Update

Ashden,

I wanted to confirm that the government has made the necessary transportation arrangements to have PFC Manning sent to Fort Myer on the 14th and 15th. Also, how is the POI issue coming along? My understanding is that Capt. Hocter is still recommending that the POI be lifted. Finally, I have attached an additional defense discovery request. Let me know if you have any questions or concerns.

Best,
David
David E. Coombs, Esq.
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45 North Main Street, 5th Floor
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Classification: UNCLASSIFIED
Caveats: FOUO

From: Haberland, John CPT MIL USA <john.haberland@us.army.mil>
Sent: Wednesday, December 8, 2010 2:05 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: Update (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Roger Sir, that will be fine.

Very Respectfully,

CPT John B. Haberland
Regimental Judge Advocate
3rd U.S. Infantry Regiment (The Old Guard)
Office: (703) 696-3150
BB: (703) 244-5483
Cell: (860) 214-8328
Building 242, Fort Myer, Virginia 22211
NIPR: john.haberland@conus.army.mil
SIPR: john.haberland@us.army.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, December 08, 2010 2:52 PM
To: 'john.haberland@us.army.mil'; 'coombs@armycourtmartialdefense.com'
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; 'paul.r.bouchard@mnd-b.army.mil'
Subject: Re: Update (UNCLASSIFIED)

Sir. We jus picked up his uniforms so he will be able to change.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, December 08, 2010 6:52 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil
Subject: RE: Update

Sir,

Thank you. Acknowledge receipt of this discovery request. We will start working immediately. We are still actively addressing the POI issue with Quantico.

v/r
Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, December 8, 2010 7:17 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil
Subject: RE: Update

Ashden,

Thank you. Do you have a time-table on the POI issue? Earlier today, I spoke with Capt. Hocter. He told me that he is still recommending that PFC Manning be taken off of POI status. He told me that the behavior witnessed by the guards appears to be a result of a side effect from PFC Manning's sleep medication.

As I have said before, I believe the current confinement restrictions rise to the level of unlawful pretrial punishment. Mr. Averhart does not have a legitimate basis to continue to ignore the advice of his mental health professional. Maintaining the POI status prevents PFC Manning from exercising, having basic items such as a pillow and sheet, and subjects him to prolonged isolation. Please tell me what you have done so far to address this issue, and the additional steps that you plan to take to resolve it.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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> -------- Original Message --------
> Subject: RE: Update
> From: "Fein, Ashden CPT USA JFHQ-NCR/MDW SJA" <Ashden.Fein@jfhqncr.northcom.mil>
> Date: Wed, December 08, 2010 6:51 pm
> To: <coombs@armycourtmartialdefense.com>
> Cc: "Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA" <JoDean.Morrow@jfhqncr.northcom.mil>, "Matthew kemkes" <matthew.kemkes@us.army.mil>, <paul.r.bouchard@mnd-b.army.mil>, <john.haberland@us.army.mil>
>
> Sir,
>
> Thank you. Acknowledge receipt of this discovery request. We will start

working immediately. We are still actively addressing the POI issue with Quantico.

v/r
Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

-----Original Message-----
From: coombs@armycourtmartialdefense.com
[mailto:coombs@armycourtmartialdefense.com]
Sent: Wednesday, December 08, 2010 11:51 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil
Subject: Update

Ashden,

I wanted to confirm that the government has made the necessary transportation arrangements to have PFC Manning sent to Fort Myer on the 14th and 15th. Also, how is the POI issue coming along? My understanding is that Capt. Hocter is still recommending that the POI be lifted. Finally, I have attached an additional defense discovery request. Let me know if you have any questions or concerns.

Best,
David

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coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com <http://www.armycourtmartialdefense.com/>;

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, December 09, 2010 11:50 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil
Subject: RE: Update

Sir,

Tomorrow the Quantico Brig is holding their Classification and Assignment Board, which makes recommendations to the Brig OIC. We requested the OIC consider the issues you presented in his determination of PFC Manning's status. We should find out a result by COB tomorrow on whether his status is going to change. We obtained his uniforms and he will have them for his meetings with you next week.

We still are waiting on a nomination for an IA expert. As I previously stated, the MDW does not have any available IA experts so we had to go to the Army G2/G6 for that assistance.

Do you still want to meet next week at Ft Meade? As previously stated, lets plan for early evening on Wed? We confirmed that CID did collect PFC Manning's health records and we are now working to get a copy. They currently have them sealed and once we take possession of them, we will release the documents after having a taint attorney review them for possible privileged documents (you will of course receive the privileged documents, but we will keep them sealed).

Thanks.
Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Friday, December 10, 2010 3:35 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil
Subject: RE: Update

Ashden,

I just spoke with Capt. Hocter. He says that PFC Manning was not looking as good today due to having his television privileges taken away. Apparently, the confinement facility decided to take away his television privileges when they heard about the rumor spreading in the news about PFC Manning committing suicide.

As far as I know, they didn't explain to PFC Manning why his privileges were being taken away. Due to this fact, PFC Manning apparently looked depressed today (after two days without the privileges). This, in turn, caused Capt. Hocter to recommend that he stay on POI until he looked normal again. Capt. Hocter did recommend that the facility give back his television privileges and allow him to exercise.

As far as the meeting on Wednesday, I would still like to meet. I know that we will have to be flexibie as to the time. Also, thank you for the update on the IA and medical records.

Best,

David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Sunday, December 12, 2010 11:00 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil
Subject: RE: Update

Sir,

Good evening. We are working to determine why PFC Manning's television privileges were allegedly taken away. As previously stated, on 10 Dec 10 the Classification and Assignment Board met and we should know the results tomorrow whether some of the administrative protective measures can/will be lifted. The Army G2/G6 is working to provide the most appropriate IA expert. I spoke with our POC on Friday and I expect to have an answer the first half of this week and then we will present the expert to the convening authority.

Our trial this week could end earlier than expected, but I leave that decision to your co-counsel, MAJ Kemkes. As of now, Joe and I will plan to meet on Wed late afternoon either at Meade or our office at McNair. We will remain flexible as well.

Please let us know if there are any issues with your meetings this week with your client. All the arrangements are made and ready to execute.

We are diligently working on determining what information we are in possession of and can be released pursuant to your requests.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From:	Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent:	Wednesday, December 15, 2010 9:36 AM
To:	'coombs@armycourtmartialdefense.com'
Cc:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject:	meeting today (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

Just checking in and seeing whether you still wanted to meet today. The defense just rested in the Lakin (Army birther) case, so Ashden might be back in the DC area by this afternoon. We'll keep you updated as we know more. Please give us some idea of your timeline today.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

Classification: UNCLASSIFIED
Caveats: FOUO

From:	Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <jodean.morrow@organization.com>
Sent:	Wednesday, December 15, 2010 10:42 AM
To:	'coombs@armycourtmartialdefense.com'
Cc:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject:	RE: meeting today (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Ok Sir - location/time TBD, based on the progress of the Lakin case.

CPT Joe Morrow
Trial Counsel
US Army Military District of Washington
Phone: 202-685-4902
NIPR: jodean.morrow@jfhqncr.northcom.mil
SIPR: jodean.morrow@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, December 15, 2010 3:35 PM
To: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; 'coombs@armycourtmartialdefense.com'
Subject: Re: meeting today (UNCLASSIFIED)

Sir. Joe is up here if you can make it. How about 1800.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Thursday, December 16, 2010 9:37 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Re: meeting today (UNCLASSIFIED)

Ashden,

I hope to be in your AO around 1130. I had a few issues come up that has delayed me.

Best,
David
Sent from my Verizon Wireless BlackBerry

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, December 16, 2010 10:41 AM
To: 'coombs@armycourtmartialdefense.com'
Subject: Re: meeting today (UNCLASSIFIED)

Thanks.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, December 16, 2010 11:18 AM
To: 'coombs@armycourtmartialdefense.com'
Subject: Re: meeting today (UNCLASSIFIED)

We are at cr and they are in deliberations. Ready.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Saturday, December 18, 2010 2:44 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: 706 Board

Ashden,

Other than Dr. Sweda, who else is on the 706 board?

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Saturday, December 18, 2010 2:53 PM
To: 'coombs@armycourtmartialdefense.com'; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Re: 706 Board

Sir. Don't know all their names but will be getting them this week for clearances and read-ons. Once you get your SF86 completed, please send. Thx.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Saturday, December 18, 2010 2:56 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: RE: 706 Board

Ashden,

Thanks, will do. I have a list of five possible alternates in the MDW area. I want to make sure none are already on the 706 board. Have a great weekend.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Sunday, December 19, 2010 7:34 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Haberland, John CPT USA Regimental Judge Advocate; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: US v. BM Update
Attachments: 10-Dec-17-Appointment of Defense Expert Consultant in Investigations (ManningB).pdf; 10-Dec-17-Excludable Delay Memorandum (ManningB).pdf

Dave,

Attached are the following two documents:
1. SPCMCA Action on the Defense request for a National Security Investigator Expert Consultant. The CA disapproved your request. We can assist with addressing your need for additional assistance with USA TDS, if needed.
2. 30-day excludable delay memorandum.

We are scheduled to chat at 1300 on Tuesday. We will confirm this time tomorrow over email. Also, we are diligently working to answer your ongoing discovery requests, to include the Accused's medical records. We have obtained a copy and plan on delivering them to you this week; however we will only email them to USG email. Do you have an alternate email we can use that belongs to the USG, if not then we will send you a disk.

We are still working on obtaining an IA expert. I spoke with the Army G6/IA personnel, and they are working to identify an individual that is not only an expert in the policy but also has practical experience to provide you IA oversight.

Have a good night.

V/r
Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: coombs@armycourtmartialdefense.com
Sent: Sunday, December 19, 2010 7:47 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: RE: US v. BM Update

Ashden,

Tuesday at 1300 works for me. You can email the medical records to david.coombs@us.army.mil.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: coombs@armycourtmartialdefense.com
Sent: Sunday, December 19, 2010 11:07 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: SF 86
Attach: SF 86 - Coombs.pdf

Ashden,

I have attached a copy of my completed SF 86 form with attachments. Please give me an address to where you would like for me to mail the original. I am heading out of the country tomorrow for my Christmas vacation. I will have my phone with me during my vacation. Looking forward to our conversation on Tuesday.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Almanza, Paul <Paul.Almanza@usdoj.gov>
Sent: Monday, December 20, 2010 10:47 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; coombs@armycourtmartialdefense.com; Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; Rose, Luke CPT USD-C SJA Chief, Military Justice <luke.rose@mnd-b.army.mil>
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>
Subject: RE: Article 32 (PFC Manning)

All -

Just touching base again on the status of this matter. Let me know if you have an ETA on the completion of the sanity board.

Thanks, and happy holidays to all of you.

LTC Almanza

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, December 20, 2010 6:53 PM
To: Almanza, Paul; coombs@armycourtmartialdefense.com; Matthew kemkes; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Haberland, John CPT USA Regimental Judge Advocate; Rose, Luke CPT USD-C SJA Chief, Military Justice
Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA
Subject: RE: Article 32 (PFC Manning)

Sir,

Good evening. The Sanity Board will likely begin after the New Year. We are currently moving into the process of ensuring all participants have appropriate clearances. Have a Happy Holidays!

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, December 20, 2010 6:59 PM
To: Sweda, Michael G Dr CIV USA MEDCOM WRAMC
Cc: RICKY.MALONE@US.ARMY.MIL; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; coombs@armycourtmartialdefense.com; Kemkes, Matthew J MAJ MIL USA
Subject: US v. BM (706 Board)

Importance: High

Sir,

Good evening. The US v. PFC Manning case has now moved into the security clearance portion of the process. For this, we will need to ensure all the personnel who will be involved in the case have adequate clearances and appropriate read-ons. Can you please verify that the following personnel will be the members of the RCM 706 Board? Thank you.

706 Board:

Dr. Sweda

LTC Schneider

CPT(P) Benesh

v/r

CPT Fein

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, December 20, 2010 7:44 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Subject: Tomorrow

David,

We still plan on 1300 tomorrow, if you are still available. Are you out of town on vacation or in the local area? Thanks.

Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: Almanza, Paul <Paul.Almanza@usdoj.gov>

Sent: Monday, December 20, 2010 7:53 PM

To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; coombs@armycourtmartialdefense.com; Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Haberland, John CPT USA Regimental Judge Advocate <john.haberland@conus.army.mil>; luke.rose@mnd-b.army.mil

Cc: Zimmerman, Sara J. SGT USA JFHQ- NCR/MDW SJA <Sara.Zimmerman@jfhqncr.northcom.mil>

Subject: Re: Article 32 (PFC Manning)

Thank you. CPT Fein.

From: coombs@armycourtmartialdefense.com
Sent: Monday, December 20, 2010 11:34 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Re: Tomorrow

1300 is good with me. I am out of town.

Best,
David

Sent from my Verizon Wireless BlackBerry

From: MICHAEL.SWEDA@US.ARMY.MIL
Sent: Tuesday, December 21, 2010 7:42 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: RICKY.MALONE@US.ARMY.MIL; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; coombs@armycourtmartialdefense.com; Matthew kemkes <matthew.kemkes@us.army.mil>; samantha.benesh@us.army.mil
Subject: RE: US v. BM (706 Board) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Sir:

I can verify that myself and CPT Benesh will be members of the Board.

v/r.

Michael Sweda, Ph.D., ABPP (Forensic)
Board-Certified Forensic Psychologist
Chief, Forensic Psychology Service
Director, Forensic Psychology Fellowship Walter Reed Army Medical Center
202-782-5899
202-782-7165 (fax)
202-538-5731 (business blackberry)
301-717-3416 (personal mobile)

"The United States themselves are essentially the greatest poem.
Past and present and future are not disjoined but joined."

From: coombs@armycourtmartialdefense.com
Sent: Thursday, December 30, 2010 12:07 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil
Subject: M.R.E. 505(h)(1) Motion
Attach: MRE 505(h)(i) Motion.pdf

Ashden - Joe,

I have attached a motion outlining the defense's position on the requirement for a 505(h)(1) disclosure for the 706 board. I know that you are being told that such a disclosure is not required. I thought a motion from the defense detailing our understanding of the controlling authorities might be helpful.

If the individuals advising you on this issue still believe that a 505(h)(1) disclosure is not required, could you please ask them to point to the authority that they are relying upon? This information would assist the defense in deciding how to handle this issue.

I hope your holiday break is going well. Feel free to call me if you have any questions based upon the motion.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, January 03, 2011 10:56 AM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil
Subject: RE: M.R.E. 505(h)(1) Motion

David,

Thank you. Although I did not respond sooner, we are working this issue concurrently with getting everyone the requisite clearances. You should have also received through the US Mail PFC Manning's medical records. Please confirm the receipt over email.

Happy New Year!

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Monday, January 3, 2011 11:28 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Re: M.R.E. 505(h)(1) Motion

Ashden,

Thank you for the update. I will let you know when I receive the records.

Best,
David
Sent from my Verizon Wireless BlackBerry

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, January 5, 2011 3:08 PM
To: james.averhart@usmc.mil; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: Confinement Conditions of PFC Manning
Attach: Confinement Memorandum.pdf

CWO4 Averhart,

Please see the attached memorandum requesting that you change PFC Manning's current classification and assignment. I would appreciate a response to my memorandum by 12 Jan. 2011. If you have any questions, feel free to contact me.

Best,
David

David E. Coombs, Esq.
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Fall River, MA 02720
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From: coombs@armycourtmartialdefense.com
Sent: Wednesday, January 5, 2011 3:16 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: 505(h)(1) Disclosure

Ashden,

I know you said you are working this issue. Can you tell me if the government's position is still that a 505 (h)(1) disclosure is not required for the 706 board? I need to know this because I am exploring raising this issue as a writ to ACCA. I would like to try to resolve this issue before the start of the 706.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
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coombs@armycourtmartialdefense.com
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, January 05, 2011 10:56 PM
To: coombs@armycourtmartialdefense.com; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Cc: Matthew kemkes; Paul Bouchard
Subject: RE: 505(h)(1) Disclosure

Sir,

The prosecution team's position is that the Accused's discussion of his own classified thoughts during his RCM 706 board is not deemed a disclosure for purposes under MRE 505(h)(1). We are still waiting on our technical higher's re-concurrence of our analysis.

Our plan is to provide you with our full analysis of the issue and then we move forward. This is being worked concurrently with obtaining the clearances for you and all other participants. We are also following-up with Quantico Brig on your written request and still finding the IA expert.

v/r
Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, January 5, 2011 11:35 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: RE: 505(h)(1) Disclosure

Ashden,

Thank you for the update. I will coordinate with DAD on the writ issue. For timing purposes, I would like to have your written response and then file the writ on the same day. Give me a heads up when you expect the written response to come my way.

Also, I am working on the replacement forensic psychiatrist for the defense team. I spoke with COL Malone today. He had a couple of suggestions for a suitable replacement to COL Benedek in the MDW area. I will hopefully have a name to submit to you sometime either this or early next week.

Finally, I am hoping that my written request to the Brig will help move the confinement issue forward. If not, I will submit a motion to the CA next week. Please keep me posted if you have any luck with CWO4 Averhart.

Best,
David

David E. Coombs, Esq.
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45 North Main Street, 5th Floor
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Direct Dial: (401) 744-3007
Office: (508) 674-6006
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From:	coombs@armycourtmartialdefense.com
Sent:	Sunday, January 9, 2011 4:39 PM
To:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc:	Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject:	Speedy Trial Request
Attach:	Speedy Trial - Manning.pdf

Ashden - Joe,

Here is the defense's speedy trial request.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Sunday, January 09, 2011 7:01 PM
To: coombs@armycourtmartialdefense.com; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Cc: Matthew kemkes; Paul Bouchard
Subject: RE: Speedy Trial Request

Acknowledge receipt. Thank you.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Monday, January 10, 2011 10:37 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: Supplemental Discovery Request
Attach: Discovery Request - 10 Jan 11.pdf

Ashden,

Here is a supplemental discovery request. Also, I was wondering when you thought you would be responding to the 505 issue. I would like to have an idea on the time line in order to coordinate with DAD. Feel free to call if you have any questions.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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Filename: Re: Supplemental Discovery Request.msg

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@organization.com>

Sent: Tuesday, January 11, 2011 6:35 AM

Subject: Re: Supplemental Discovery Request

Size: 32KB (31,744 bytes)

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, January 11, 2011 8:16 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: RE: Supplemental Discovery Request

Ashden,

I am free anytime between 1000 and 1330. BTW, did you have an update that you can give me on the confinement facility commander? Did he respond to you in anyway after receiving my memorandum? Thanks.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
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Filename: RE: Supplemental Discovery Request.msg

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@organization.com>

Sent: Tuesday, January 11, 2011 8:21 AM

Subject: RE: Supplemental Discovery Request

Size: 54KB (54,272 bytes)

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, January 12, 2011 12:06 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: Forensic Psychiatrist
Attach: Forensic Psychiatrist Request.pdf

Ashden,

I wanted to let you know that I found a replacement for COL Benedek. The defense would like Capt. Kevin Moore to be assigned to the defense team. Capt. Moore just PCS'd from Japan, and has not had a chance to send me a CV. Do you need a CV, or will the attached request suffice?

Best,
David

David E. Coombs, Esq.
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Fall River, MA 02720
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, January 12, 2011 3:05 PM
To: coombs@armycourtmartialdefense.com; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA
Cc: Matthew kemkes; Paul Bouchard; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: RE: Forensic Psychiatrist

David,

Thanks. We are swiftly moving on this by chatting with his leadership, to ensure there is no impact. Also, I would like to introduce over email, SFC Monica Carlile (CCed) who is a new addition to our team. Although SGT Zimmerman could never be replaced, SFC Carlile is going to provide us paralegal support. Please include her on your emails to me and Joe. Thank you.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Thursday, January 13, 2011 11:51 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: 305(g) Request
Attach: 305(g) Request - Manning.pdf; Military Magistrate's MFR.pdf; Quantico Brig MFR.pdf; Manning - Speedy Trial Request.pdf

---

Ashden,

I have attached the renewed speedy trial request listing the Garrison commander instead of the GCMCA. I have also attached a request for release from confinement under R.C.M. 305(g) along with enclosures.

As mentioned before, the defense believes that there is no legitimate government objective for the current confinement conditions. Given the consistent recommendations of Capt. Hocter and PFC Manning's model behavior, there is no justification for PFC Manning to continue to be held in maximum custody and under POI watch. Please present this request to the Garrison commander.

The defense requests that the government respond in writing to the 305(g) request. Additionally, the defense requests that to government obtain the requested documentation in the 5 January 2011 memorandum to CWO4 Averhart, and any other supporting documentation from the Quantico Brig concerning PFC Manning's classification and assignment. The defense request that government provide this documentation to the defense.

Please feel free to contact me if you have any questions or concerns.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
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Fall River, MA 02720
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, January 13, 2011 1:18 PM
To: coombs@armycourtmartialdefense.com; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Cc: Matthew kemkes; Paul Bouchard
Subject: RE: 305(g) Request

David,

Thanks. If you can please send me Capt Moore's SSN so we can move on his clearance.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Thursday, January 13, 2011 2:03 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Re: 305(g) Request

As soon as I get the info. I will forward it to you.

Best.
David
Sent from my Verizon Wireless BlackBerry

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, January 13, 2011 2:18 PM
To: coombs@armycourtmartialdefense.com
Subject: RE: 305(g) Request

Thanks.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Thursday, January 13, 2011 2:18 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Re: 305(g) Request

405026982 is the SSN.

Best,
David
Sent from my Verizon Wireless BlackBerry

From:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent:	Friday, January 14, 2011 8:15 PM
To:	coombs@armycourtmartialdefense.com
Cc:	Matthew kemkes; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject:	Multiple Actions (US v. BM)
Attachments:	11-Jan-14-SPCMCA Appointment of Defense Expert Consultant in IA (ManningB).pdf; 11-Jan-14-Appointment of New Defense Expert Consultant in Forensic Psychiatry (ManningB).pdf; 11-Jan-14-Excludable Delay Memorandum (ManningB).pdf; Unclassified Discovery (000772-000851) (ManningB).pdf

David,

Attached is the CENTCOM FOIA released investigation for the Apache Video.

Also attached are the following three actions:
1. Appointment of IA Expert
2. Appointment of New Forensic Psychiatry Expert
3. RCM 707(c) accounting Memo

Have a good weekend.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Sunday, January 16, 2011 5:42 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Subject: Manning's Medical Records

Ashden,

The medical records that the government mailed to me on 3 January 2011, arrived at my office damaged. The delay in arrival was due to the wrong address being used. The items was addressed to 35 North Main Street instead of 45 North Main Street.

Also, I wanted to make sure that there was not a CD included in the package. The cover sheet had a CD soft folder stapled to it, but did not have a CD.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
Office: (508) 674-6006
Fax: (508) 324-9896
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Sunday, January 16, 2011 6:58 PM
To: 'coombs@armycourtmartialdefense.com'
Cc: Matthew kemkes; 'paul.r.bouchard@mnd-b.army.mil'; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: Re: Manning's Medical Records

David. There was a cd sent in the package so that you would have a digital copy of the records. Please take pictures of the packaging and we are going to request CID on tuesday morning to assist in determining what occurred and to attempt to find the cd.

Also, in the future we will hand deliver all items that we do not digitally send to the military defense counsel to insure proper delivery.

Have a good weekend.

Ashden

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, January 18, 2011 12:03 AM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; Paul Bouchard; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: IA Expert

David,

Your IA expert, Ms. Smith, may be contacted at 703-697-5869 or lillian.smith@conus.army.mil.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, January 18, 2011 10:36 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Subject: RE: IA Expert

Thank you.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
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From: coombs@armycourtmartialdefense.com
Sent: Tuesday, January 18, 2011 10:36 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Subject: RE: Manning's Medical Records
Attach: Photo 1.JPG; Photo 2.JPG

Ashden,

I have attached two photos of the package. The package came in a clear plastic bag that was from the post office. On the clear bag, it stated "We apologize for the damage done to your shipment." I no longer have the clear bag. Let me know if you need any additional information.

Best,
David

David E. Coombs, Esq.
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, January 18, 2011 11:04 AM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: RE: Manning's Medical Records

David,

Thank you. We already spoke with CID and they are contacting the US Postal Inspectors to see if they will initiate an investigation or at least attempt to find the CD. Could you please verify that you have all the pages of the documents, bates stamp 852-1049. I want to ensure all we are looking for from the USPS is the CD and not any of the documents.

Thank you.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, January 18, 2011 11:09 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Subject: RE: Manning's Medical Records

Ashden,

I have all the pages of the documents. I am only missing the CD.

Best,
David
David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Direct Dial: (401) 744-3007
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, January 18, 2011 11:32 AM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: RE: Manning's Medical Records

Thanks sir. More to follow with the postal service and the CD.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, January 19, 2011 12:53 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Subject: Confinement Conditions
Attach: Preserve Evidence Request.pdf

Ashden,

Please see the attached request to preserve evidence. I would like to talk to you about this issue later today if possible. I am available anytime after 1630. Also, I want to know if the garrison commander plans to respond to my 305(g) request. Based upon this latest incident, I am inclined to push forward with the 138 complaint. Thanks.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Office: 1-800-588-4156
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
www.armycourtmartialdefense.com

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, January 19, 2011 1:21 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: RE: Confinement Conditions

David,

Lets plan on 1700. That should be enough time for us to contact the Brig in order to understand what occurred today.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Filename: Phone Call.msg

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@organization.com>

Sent: Wednesday, January 19, 2011 5:01 PM

Subject: Phone Call

Size: 37KB (37,376 bytes)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, January 19, 2011 6:12 PM
To: coombs@armycourtmartialdefense.com; Kemkes, Matthew J MAJ MIL USA
Cc: 'Haberland, John CPT MIL USA'; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: US v. BM Brig Update

MAJ K.

It is our understanding that you might have met with the Brig OIC. If you're willing to discuss, could you please let us know if there is any resolution from your meeting. Thank you.

Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, January 19, 2011 9:17 PM
To: daniel.choike@usmc.mil
Cc: james.averhart@usmc.mil; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; monica.carlile@jfhqncr.northcom.mil; Matthew kemkes <matthew.kemkes@us.army.mil>; Paul Bouchard <paul.r.bouchard@mnd-b.army.mil>
Subject: Article 138 Complaint
Attach: Article 138 Complaint - Manning.pdf

Sir,

Please see the attached Article 138 complaint. The defense requests that you address this issue as soon as possible. If you have any questions, feel free to call me at (401) 744-3007.

Respectfully,

David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Office: 1-800-588-4156
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
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From: coombs@armycourtmartialdefense.com
Sent: Thursday, January 20, 2011 12:21 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; John Haberland <john.haberland@us.army.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Subject: Confinement Conditions

Ashden,

I understand that CWO4 Averhart is going to review the need for special restrictions later today. As I stated yesterday and in the 138 request, PFC Manning does not need to be under POI watch or suicide risk. Please have John request CWO4 Averhart to discuss this issue with COL Malone (Capt. Hocter's replacement). If his recommendation is to still remove him from POI, then I request that this be done today.

If CWO4 will not remove PFC Manning from suicide risk and POI watch, can you tell me whether the goverment is considering moving PFC Manning to a different confinement facility? Thank you.

Best,
David

David E. Coombs, Esq.
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Fall River, MA 02720
Office: 1-800-588-4156
Fax: (508) 324-9896
coombs@armycourtmartialdefense.com
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, January 20, 2011 3:38 PM
To: coombs@armycourtmartialdefense.com; John Haberland
Cc: Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: RE: Confinement Conditions

Importance: High

David. As of 1512hrs, PFC Manning is off suicide prevention status, but still on POI. We are working with PFC Manning's chain of command and the Brig chain of command on all your points below, to include readdressing the POI status.

We also expect to formally present the RCM 305(g) request to COL Coffman tomorrow. In addition to the RCM 305(g) request, we will formally readdress the POI status with him as well. COL Coffman is sending down his CSM to meet with PFC Manning and get a sense of the situation. We are still waiting on receiving all the substantiating documentation from the Brig and expect to get that information tomorrow morning and then present it to him tomorrow evening, absent an unforeseen change of events.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Thursday, January 20, 2011 4:08 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; John Haberland <john.haberland@us.army.mil>
Subject: RE: Confinement Conditions
Attach: 138 Complaint.docx

Ashden,

I spoke with the confinement facility this afternoon. They told me that he was being removed from suicide risk. I appreciate the fact that you and John took agressive steps to address this issue. Now we need to get PFC Manning off of POI watch. Hopefully, the Article 138 compliant, the R.C.M. 305(g) request or the pending change of command at the Brig will address this issue. I intend to release the attached statement on my blog. However, I wanted to see if you had any heartburn over anything in the statement.

Best,
David

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, January 20, 2011 8:00 PM
To: 'coombs@armycourtmartialdefense.com'
Cc: Matthew kemkes; 'paul.r.bouchard@mnd-b.army.mil'; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; 'john.haberland@us.army.mil'
Subject: Re: Confinement Conditions

David. Just to reemphasize one point from our conversation tonight, we do not necessarily support your press release and the prosecution would prefer to handle this issue through the normal pretrial process with the chain of command, as we are currently doing.

Thanks.

Ashden

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Thursday, January 20, 2011 8:14 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; john.haberland@us.army.mil
Subject: RE: Confinement Conditions

Ashden,

Understood. I am responding primarily to Col. T.V. Johnson's "poppycock" statement - available at http://www.nytimes.com/2011/01/14/world/14manning.html and to place the focus back on the Quantico Brig. I hope that the normal pretrial process with the chain of command addresses this issue. I concur that this issue, and for that matter all issues, would be better addressed through the normal process.

Best,
David
David E. Coombs, Esq.
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, January 20, 2011 11:22 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: M.R.E. 505(h)(1) Motion Follow-up

David. Are you available at 1230 tomorrow to discuss your MRE 505(h)(1) and "need-to-know" motion? If so, can we plan on that time? Thanks.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
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COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Thursday, January 20, 2011 11:27 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Subject: [Suspected SPAM] RE: M.R.E. 505(h)(1) Motion Follow-up

---

Ashden,

12:30 works for me.

Best,
David

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, January 21, 2011 11:13 AM
To: 'Sweda, Michael G Dr CIV USA MEDCOM WRAMC'
Cc: 'RICKY.MALONE@US.ARMY.MIL'; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; 'coombs@armycourtmartialdefense.com'; 'Kemkes, Matthew J MAJ MIL USA'; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: US v. BM (706 Board)

Importance: High

Dr. Sweda,

Good morning. The purpose of this email is to give you an update on the RCM 706 for PFC Manning. Although the board is still delayed, we expect the clearance issue to be resolved shortly. The Army G2 is sending emails to those participants, in the overall CM process, that will need to complete "E-QIP" by Monday morning so their clearance approval can be expedited. As for the RCM 706 Board, this will only apply to LTC Hemphill, all others have the appropriate clearance. Once the clearances are approved for interim, then we will schedule a date and time for all those who need to be read-on, to meet in Crystal City for their read-on. I plan to give some lead time for this and we will likely plan early morning or late in the day to accommodate around work schedules. Once the read-ons are scheduled, then we expect the Convening Authority to issue a supplemental order for the RCM 706 to restart with special instructions.

Assuming no critical issues in the remaining members SF86/E-QIP, I anticipate the read-ons to occur the week after next and the RCM 706 to start again the following week.

If you have any questions, please send them to the entire email distribution.

Thank you and have a good weekend.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
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NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Filename: Security Clearances (US v. BM).msg

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@organization.com>

Sent: Friday, January 21, 2011 11:18 AM

Subject: Security Clearances (US v. BM)

Size: 57KB (57,856 bytes)

From: Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <monica.carlile@organization.com>
Sent: Friday, January 21, 2011 1:38 PM
To: 'coombs@armycourtmartialdefense.com'; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA <Carolyn.Autry@jfhqncr.northcom.mil>; 'marla.ping@gmail.com'; 'marla.hemphill@us.army.mil'
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: FW: FINGERPRINTS (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

ALL:

Please see below. CPT Fein would like for it to be completed NLT Wednesday, 26 Feb 11, in order to keep the process moving swiftly.

V/r
SFC Carlile

1. A requirement prior to initiating your SSBI investigation is having your fingerprints done in which shows in JPAS a few days later. Can you please go to the nearest Security Office/ local police station to get your fingerprints done electronically via a Electronic Fingerprint machine ?

Please enter the below information in the Electronic Fingerprint machine in which will print out on the fingerprint card (FD-258).

INFORMATION NEEDED FOR FINGERPRINT CARD(FD-258)

ADDRESS: HQDA ODCS, G-2, 1000 ARMY PENTAGON, WASHINGTON, DC 20310

REASON: clearance upgrade

SON: AR00 (AR zero, zero)

SOI: A334

Enter in "ORI" block: USOPM000Z (US the letter "o", PM, zero, zero, zero, zulu)

2. If your current organization does not have a Fingerprint machine, one is available on Fort Belvoir, VA.

NOTE: Please call (703-805-3515) first to ensure that someone is available.

9820 FLAGLER RD, BLDG 269, STE G2, RM 129

FORT BELVOIR, VA 22060-5929

3. If you are capability of completing your fingerprints at your local police station but does not have an "Electronic Fingerprint" machine, please mail (FEDEX) the fingerprint card (FD-258) to the below address.

Send VIA FEDEX (overnight if possible)

DEPARTMENT OF THE ARMY

PSI CENTER OF EXCELLENCE

B3240/2201 ABERDEEN BLVD

ABERDEEN PROVING GROUND, MD 21005-5001

Please inform me of the method that you choose and when it was completed.

v/r

BONITA DAVIS
Assistant Security Manager

Classification: UNCLASSIFIED
Caveats: FOUO

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, January 21, 2011 1:40 PM
To: Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; 'coombs@armycourtmartialdefense.com'; Autry, Carolyn D Ms CIV JFHQ-NCR/MDW SJA; 'MAILTO:marla.ping@gmail.com'; 'marla.hemphill@us.army.mil'
Subject: Re: FINGERPRINTS (UNCLASSIFIED)

All. Just to clarify 26 Jan 11 and not Feb. Thank you.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Friday, January 21, 2011 5:29 PM
To: Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>
Subject: [Suspected SPAM] RE: FW: FINGERPRINTS (UNCLASSIFIED)

SFC Carlile,

Just wanted to let you know that I completed the e-QIP forms and emailed the signature release forms. I am trying to locate somewhere near me that may have an Electronic Fingerprint machine. Do you know if the Newport Naval Base has a Electronic Fingerprint machine? If I can't locate one, I would opt for the local police station and FedEx option.

Best,
David

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, January 21, 2011 8:37 PM
To: coombs@armycourtmartialdefense.com
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: RCM 305(g) Request
Attachments: 11-Jan-21-SPCMCA Response to RCM 305(g) Request (ManningB).pdf

David,

Please find the attached RCM 305(g) action. Have a good weekend.

Ashden

Ashden Fein
CPT, JA
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SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: coombs@armycourtmartialdefense.com
Sent: Saturday, January 22, 2011 9:07 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Discussion

Ashden,

I would like to have a non-attribution discussion with you sometime this weekend. It is my hope that we could have a rich discussion about the case and a free exchange of ideas. All comments would be off the record. We would also agree that any comments made would not be repeated in any public forum or to any individual likely to release any statement to a public forum. If you are interested, I think it would best if the discussion was just between us to start.

Best,
David

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Saturday, January 22, 2011 12:32 PM
To: coombs@armycourtmartialdefense.com
Subject: RE: Discussion

David,

Sounds good. How is 1600 tomorrow (Sunday)? If that is not a good time, I am available any time after 1600.

Ashden

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Saturday, January 22, 2011 12:36 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: Re: Discussion

That works for me.

Best.
David

From: coombs@armycourtmartialdefense.com
Sent: Monday, January 24, 2011 6:03 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; John Haberland <john.haberland@us.army.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>
Subject: [Suspected SPAM] Fort Myer Visit

Ashden - John,

The defense would like to meet with PFC Manning at Fort Myer on 11 February 2011. Can you please coordinate this visit? I anticipate our meeting lasting most of the day.

On a separate issue, did you find out any information on why David House and Jane Hamsher were detained at the main gate? I wanted to ensure that Brad's aunt Debra Van Alstyne would not have any problems this weekend seeing Brad. Also, Brad's mother, Susan Manning, will be coming to the U.S. in the middle of February to see him over two consecutive weekends. Have the skids been greased to ensure that she will not have any issues getting on post and seeing him? Thanks for the information.

Best,
David

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, January 24, 2011 6:41 PM
To: coombs@armycourtmartialdefense.com; John Haberland
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: RE: [Suspected SPAM] Fort Myer Visit

David,

The skids have been greased for Manning's mother's visit. His aunt is authorized to visit and so his David House. All those on the visitation list are authorized to visit. We are still figuring out what exactly happened at Quantico on Friday, but from what we already know, the vehicle was not properly registered, therefore it could not be allowed on post. So long as Manning's mother, aunt, and House are travelling in properly registered and insured vehicles, then there should be no issue with them entering the post, just as all other visitors at Quantico.

Ashden

Ashden Fein
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NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Monday, January 24, 2011 9:26 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; john.haberland@us.army.mil; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; John Haberland <john.haberland@us.army.mil>
Subject: RE: [Suspected SPAM] Fort Myer Visit

Ashden,

I understand the requirement for a properly registered and licensed car. I guess I am just confused by the fact they were detained for over two hours and the MP's had Jane Hamsher's car towed. I would expect that if the car was not properly licensed they would just be turned away.

Best,
David

David E. Coombs, Esq.
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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, January 24, 2011 9:32 PM
To: 'coombs@armycourtmartialdefense.com'
Cc: Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; Matthew kemkes; 'paul.r.bouchard@mnd-b.army.mil'; 'john.haberland@us.army.mil'; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: Re: [Suspected SPAM] Fort Myer Visit

David. we will get a clearer definite answer for the aunt and mom's visit and all future visits. Mtf.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, January 25, 2011 6:14 PM
To: 'Paul Bouchard'; 'paul.r.bouchard@mnd-b.army.mil'
Cc: 'coombs@armycourtmartialdefense.com'; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Subject: Read-On

Paul,

I hope all is well. Are you still deployed, and if so which OSJA/Higher HQ do you fall under for support? We need to get you read-on to the different compartment and need to know which SSO covers you. Thanks.

Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, January 25, 2011 7:16 PM
To: 'Almanza, Paul'
Cc: Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; 'coombs@armycourtmartialdefense.com'; Matthew kemkes; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; paul.r.bouchard@mnd-b.army.mil
Subject: Article 32 (PFC Manning)

LTC Almanza,

Good evening. The purpose of this email is to give you an update on the Article 32 for PFC Manning. Although the RCM 706 board is still delayed, we expect the clearance issue to be resolved shortly. With the assistance of the Army G2, we are coordinating to have all foreseeable participants in the overall court-martial process receive TS/SCI clearances and subsequent read-on's for the required compartments. Your clearance is currently valid and you just need to be read-on.

Read-on's will likely occur in Crystal City. I plan to give some lead time for this and we will likely plan early morning or late in the day to accommodate around work schedules. Assuming no critical issues in the remaining participants SF86/E-QIP, I anticipate the read-ons to occur next week and the RCM 706 to start again the following week.

If you have any questions, please send them to the entire email distribution. Also, my office added SFC Monica Carlile to the team and she is currently the dedicated paralegal to all issues for this case, including providing you the needed support as the IO. SFC Carlile is CCed on this email.

Thank you.

v/r
CPT Fein

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
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NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Almanza, Paul <Paul.Almanza@usdoj.gov>
Sent: Tuesday, January 25, 2011 11:04 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; coombs@armycourtmartialdefense.com; Matthew kemkes <matthew.kemkes@us.army.mil>; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA <JoDean.Morrow@jfhqncr.northcom.mil>; paul.r.bouchard@mnd-b.army.mil
Subject: Re: Article 32 (PFC Manning)

CPT Fein -

Thank you for keeping me posted.

For the read-on, I will be on travel for the Interservice Military Judge's Seminar next week. I may be available, however, either early Monday or late Friday next week. Alternatively, I'd be available the following week.

LTC Almanza

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, January 25, 2011 11:38 PM
To: Almanza, Paul
Cc: Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; coombs@armycourtmartialdefense.com; Matthew kemkes; Morrow III, JoDean, CPT USA JFHQ-NCR/MDW SJA; paul.r.bouchard@mnd-b.army.mil
Subject: RE: Article 32 (PFC Manning)

Thank you sir. MTF.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel [paul.r.bouchard@mnd-b.army.mil]
Sent: Wednesday, January 26, 2011 1:28 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Cc: 'coombs@armycourtmartialdefense.com'; Young, Adrian C. SSG 25ID JAG; Taylor, Carolyn Y. CW2 25ID SJA
Subject: RE: Read-On
Signed By: paul.r.bouchard@us.army.mil

Ashden:
I'm still deployed here till early May. For admin purposes, I fall under 25th ID. I've courtesy copied CW2 Taylor and SSG Young for this e-mail.

Thanks,

Paul

Paul Bouchard
CPT, JA
Senior Defense Counsel
Camp Liberty, Iraq
APO AE 09344
DSN: 318-847-3047
SVOIP: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, January 26, 2011 6:43 AM
To: 'paul.r.bouchard@mnd-b.army.mil'
Cc: 'coombs@armycourtmartialdefense.com'; 'adrian.young@mnd-b.army.mil'; 'carolyn.y.taylor@mnd-b.army.mil'; Carlile, Monica SFC MIL USA OTJAG
Subject: Re: Read-On

Chief taylor. Could you please send us your SSO contact information under the G2. Thx.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, January 26, 2011 11:04 AM
To: Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Cc: 'Kemkes, Matthew J MAJ MIL USA'
Subject: MAJ K info

SFC C. CCed is MAJ Kemkes so you can go direct with him for security clearance info.

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Tracking:

From: Taylor, Carolyn Y. CW2 25ID SJA <carolyn.taylor@MND-B.army.smil.mil>
Sent: Wednesday, January 26, 2011 12:12 PM
To: Fillmore, Alyssa M. SSG USD-C 25ID G2 SSO NCOIC <alyssa.fillmore@MND-B.army.smil.mil>
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@jfhqncr.northcom.smil.mil>; Bouchard, Paul R. CPT USD-C SJA TDS Sr Defense Counsel <paul.r.bouchard@MND-B.army.smil.mil>
Subject: Wikileaks Issue

UNCLASSIFIED / FOR OFFICIAL USE ONLY//

SSG Fillmore,
CPT Paul Bouchard is the Sr Defense Counsel for PFC Manning, the accused in the Wiki Leaks Case. He needs to be read on to a different compartment so that he can be privileged to information.

Please tell me what you need from me to make this happen?

V/R,

CAROLYN Y. TAYLOR
CW2, JA
Legal Administrator
DSN 318-847-2587
SVOIP 242-7755
carolyn.y.taylor@mnd-b.army.mil
carolyn.y.taylor@mnd-b.army.smil.mil

UNCLASSIFIED / FOR OFFICIAL USE ONLY//

From: Fillmore, Alyssa M. SSG USD-C 25ID G2 SSO NCOIC <alyssa.fillmore@MND-B.army.smil.mil>

Sent: Wednesday, January 26, 2011 12:18 PM

To: Taylor, Carolyn Y. CW2 25ID SJA <carolyn.taylor@MND-B.army.smil.mil>

Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@jfhqncr.northcom.smil.mil>; Bouchard, Paul R. CPT USD-C SJA TDS Sr Defense Counsel <paul.r.bouchard@MND-B.army.smil.mil>

Subject: RE: Wikileaks Issue

Ma'am,

I need his SSN so I can verify his clearance eligibility and a POC to send the SCI nomination request memo to his security manager or the first 03 in his CoC. I need a NIPR email.

The SCI nomination memo is basically an official MFR request with an unclass justification of why he needs to be read on. From there once. I get the signed copy. (either digitally sent to me on nipr. or it can be dropped off hard copy at my office) we can schedule his read on. Thanks!

VR.

SSG Fillmore, Alyssa M.
SSO NCOIC
SVOIP 242-4126
NVOIP 847-2881
DSN 318-847-2881
SIPR alyssa.fillmore@mnd-b.army.smil.mil
NIPR alyssa.fillmore@mnd-b.army.mil
AKO alyssa.fillmore@us.army.mil
SMO Code WALXAA3

From: Taylor, Carolyn Y. CW2 25ID SJA <carolyn.taylor@MND-B.army.smil.mil>
Sent: Wednesday, January 26, 2011 12:42 PM
To: Bouchard, Paul R. CPT USD-C SJA TDS Sr Defense Counsel <paul.r.bouchard@MND-B.army.smil.mil>
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <ashden.fein@jfhqncr.northcom.smil.mil>
Subject: FW: Wikileaks Issue

UNCLASSIFIED / FOR OFFICIAL USE ONLY//

Sir,
I think it best that you send her your SS# and your POC for the SCI nomination should be your rater, as they know firsthand your need for the information.

Let me know what other assistance you require. Chief

From: Taylor, Carolyn Y. CW2 25ID SJA [carolyn.y.taylor@mnd-b.army.mil]
Sent: Thursday, January 27, 2011 2:04 AM
To: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Subject: [U] Request for SCI Access memo.doc
Attachments: Request for SCI Access memo.doc
Signed By: carolyn.y.taylor@us.army.mil

UNCLASSIFIED//

Sir,
Please complete the memo. I think it best to have the Sr. Trial Defense Counsel sign the memo for you. Please write the justification and if you need anything else, please let me know.

Chief

CAROLYN Y. TAYLOR
CW2, JA
Legal Administrator
DSN 318-847-2587
SVOIP 242-7755
carolyn.y.taylor@mnd-b.army.mil
carolyn.y.taylor@mnd-b.army.smil.mil

UNCLASSIFIED//

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel [paul.r.bouchard@mnd-b.army.mil]
Sent: Thursday, January 27, 2011 2:22 AM
To: Taylor, Carolyn Y. CW2 25ID SJA
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Subject: RE: [U] Request for SCI Access memo.doc
Attachments: SCI access memo, signed.pdf
Signed By: paul.r.bouchard@us.army.mil

Chief Taylor:

Per your request.

Respectfully,
CPT Bouchard

Paul Bouchard
CPT, JA
Senior Defense Counsel
Camp Liberty, Iraq
APO AE 09344
DSN: 318-847-3047
SVOIP: 302-242-4726

From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel [paul.r.bouchard@mnd-b.army.mil]
Sent: Thursday, January 27, 2011 5:43 AM
To: Taylor, Carolyn Y. CW2 25ID SJA
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Subject: FW: security clearance (UNCLASSIFIED)
Attachments: Document.pdf
Signed By: paul.r.bouchard@us.army.mil

Chief:
Per your request.
Respectfully,
CPT Bouchard

Paul Bouchard
CPT, JA
Senior Defense Counsel
Camp Liberty, Iraq
APO AE 09344
DSN: 318-847-3047
SVOIP: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Thursday, January 27, 2011 6:29 AM
To: 'paul.r.bouchard@mnd-b.army.mil'; 'carolyn.y.taylor@mnd-b.army.mil'
Subject: Re: [U] Request for SCI Access memo.doc

No request should be needed. The Dept of the Army G2 will direct your division SSO to conduct the read-on, unless this is easier. Thx.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Taylor, Carolyn Y. CW2 25ID SJA [carolyn.y.taylor@mnd-b.army.mil]
Sent: Thursday, January 27, 2011 7:07 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Cc: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel
Subject: [U] RE: Request for SCI Access memo.doc
Signed By: carolyn.y.taylor@us.army.mil

UNCLASSIFIED//

Sir,
Believe it to be easier, based on my chat with the SSO here. We'll follow through and see what happens.

V/R,

CAROLYN Y. TAYLOR
CW2, JA
Legal Administrator
DSN 318-847-2587
SVOIP 242-7755
carolyn.y.taylor@mnd-b.army.mil
carolyn.y.taylor@mnd-b.army.smil.mil

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Friday, January 28, 2011 8:55 AM
To: Haberland, John CPT MIL USA
Cc: coombs@armycourtmartialdefense.com; 'Kemkes, Matthew J MAJ MIL USA'; paul.r.bouchard@mnd-b.army.mil; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Attachments: 10-Jan-28-Memo for Brig Defense Team Members (ManningB).pdf

John. Please ensure the Brig receives this updated Access Roster. Thank you.

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Friday, January 28, 2011 9:03 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; paul.r.bouchard@mnd-b.army.mil; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; Haberland,John CPT MIL USA <john.haberland@us.army.mil>
Subject: Update

Ashden,

I wanted to touch base with you on a couple of issues:

1) Are there any issues with the 11 February 2011 transport of PFC Manning to Fort Myer?

2) Has LTC Greer (Quantico SJA) released the requested Brig documents concerning PFC Manning's classification and assignment to you? He indicated that they were doing so.

3) Have you heard anything regarding the Article 138 complaint?

4) Is there an investigation into why CWO4 Averhart placed PFC Manning on suicide risk? If so, can you update me on the status?

5) Where do we stand on the 505(h) issue for the 706 board?

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
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From: Bouchard, Paul R. CPT USD-C DSTB B CO TDS Sr Defense Counsel [paul.r.bouchard@mnd-b.army.mil]
Sent: Monday, January 31, 2011 7:19 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Paul Bouchard
Cc: coombs@armycourtmartialdefense.com; 'paul.bouchard@iraq.centcom.mil'
Subject: New e-mail address for CPT Bouchard
Signed By: paul.r.bouchard@us.army.mil

CPT Fein -- FYI

My new e-mail address is: paul.bouchard@iraq.centcom.mil.

V/R
CPT Bouchard

Paul Bouchard
CPT, JA
Senior Defense Counsel
Camp Liberty, Iraq
APO AE 09344
DSN: 318-847-3047
SVOIP: 302-242-4726

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, January 31, 2011 3:48 PM
To: Rains, Larry E Mr CIV USA DCS G-2; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Cc: coombs@armycourtmartialdefense.com; Davis, Bonita N CIV USA DCS G-2
Subject: RE: (U) Mr. Coombs - Interim SCI granted

Mr. Coombs,

Will you be able to come down before 11 Feb or do you want to schedule early 11 Feb?

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: Rains, Larry E Mr CIV USA DCS G-2 [larry.rains@us.army.mil]
Sent: Monday, January 31, 2011 3:45 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA
Cc: coombs@armycourtmartialdefense.com; Davis, Bonita N CIV USA DCS G-2
Subject: (U) Mr. Coombs - Interim SCI granted

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Ashden,

Mr. Coombs was granted an Interim TS/SCI as of today. What are the plans to get him indoctrinated? Will he be in the area anytime soon?

Best regards,
Larry

Larry Rains
Security Manager/SSR
HQDA, ODCS, G-2
1000 Army Pentagon
Washington DC 20310-1000
Comm: 703-695-1125
Fax: 703-695-2648

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

From:	Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <monica.carlile@organization.com>
Sent:	Monday, January 31, 2011 5:07 PM
To:	'Rains, Larry E Mr CIV USA DCS G-2' <larry.rains@us.army.mil>; 'Figueroa, Hector J CIV USA DCS G-2' <Hector.Figueroa1@us.army.mil>
Cc:	Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; 'coombs@armycourtmartialdefense.com'; Davis, Bonita N CIV USA DCS G-2 <Bonita.Davis1@us.army.mil>
Subject:	FW: (U) RE: RE: INDOC (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Mr. Rains.
I have been working with Mr. Figueroa to get Mr. Coombs taken care of up north. Just waiting for the go-ahead to get it scheduled.

Mr. Figueroa.
We have the green light! Just let me know the location and contact information and we will get it done.

Thank you for all of your assistance in getting this taken care of so darn quickly!

V/r
SFC Carlile

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Monday, January 31, 2011 10:03 PM
To: coombs@armycourtmartialdefense.com
Cc: Matthew kemkes; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; Haberland,John CPT MIL USA; paul.bouchard@iraq.centcom.mil
Subject: RE: Update

Importance: High

David,

As of today, all members of the RCM 706 are read-on to the required compartments and below is a status of the Defense team members:

Coombs-scheduling local read-on or in DC Kemkes-Complete Bouchard-scheduling read-on in theater Ganiels-Complete Hall-Complete Moore-Complete Smith-*Need SSN and full name

In addition, Malone and Alamanza are good. Tomorrow we are going to start coordinating re-starting the RCM 706, with the understanding that the Board will not meet with the accused prior to you being read-on and having the ability to meet with your client first.

1) Are there any issues with the 11 February 2011 transport of PFC Manning to Fort Myer? This transportation is lined up. Assuming you are read-on by then, are you going to want to meet with your client in a SCIF during that trip?

2) Has LTC Greer (Quantico SJA) released the requested Brig documents concerning PFC Manning's classification and assignment to you? PFC Manning's command received the documents they requested in order to better understand the POI status and make recommendations to the Brig on the POI status. The CoC is involved in ensuring PFC Manning is being properly taken care of and ensuring the Brig provides adequate care, safety, and security for PFC Manning. As you should already know, since PFC Manning's confinement, his chain of command visits practically every week to ensure he is doing well, including the new garrison CSM in the past 10 days.

3) Have you heard anything regarding the Article 138 complaint? Quantico is in receipt of the complaint and they are processing the complaint IAW with the USMC rules.

4) Is there an investigation into why CWO4 Averhart placed PFC Manning on suicide risk? If so, can you update me on the status? We are not aware of an investigation; however if there is an investigation, it would be solely within the USMC chain of command. I do know that CW4 Averhart PCSed as part of his normal change of jobs.

5) Where do we stand on the 505(h) issue for the 706 board? We are working on finalizing our formal response to your request, in order to present to you for your review this week, along with proposed COAs if you disagree.

6) Could you and the rest of your defense team please coordinate a head of time with the Brig if you are planning on calling or visiting your client. It is not the normal practice for the Brig to quickly react and they will not always be able to accommodate no-notice phone calls and no-notice visits, unless during visiting hours, including CAPT Moore. Although CAPT Moore provides services at the Brig for other pre-trial confinees, he will not be granted his accustomed access to PFC Manning, without prior coordination, because he is now part of the defense team.

Thank you.

Have a good week.

Ashden Fein
CPT, JA
Chief, Military Justice
U.S. Army Military District of Washington (MDW)
COMM: 202-685-4903 (DSN 325)
CELL: 202-450-8230
NIPR: ashden.fein@jfhqncr.northcom.mil
SIPR: ashden.fein@jfhqncr.northcom.smil.mil

From: coombs@armycourtmartialdefense.com
Sent: Monday, January 31, 2011 10:38 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; Haberland,John CPT MIL USA <john.haberland@us.army.mil>; paul.bouchard@iraq.centcom.mil
Subject: [Suspected SPAM] RE: Update

Ashden,

How long do you anticipate the read-on to require? Depending on the length of time, I may be able to conduct this in D.C. on the 11th.

1) Even if the read-on is completed before or on the 11th, I would like to have PFC Manning taken to Fort Myer. MAJ Kemkes needs to meet with PFC Manning in the morning, and I will be joining them in the afternoon.

2) The defense would like to have the documentation provided by LTC Greer. Will you be releasing this information as part of the requested defense discovery?

3) Got it. Have they provided you with any details for timing?

4) Understood. The defense would like for the government to inquire as to whether there is an investigation of CW04 Averhart. The defense believes this information is relevant for any Article 13 motion.

5) Understood.

6) I will make sure that Capt. Moore is made award of this issue. I would like for you to have John inquire why I was denied access to PFC Manning last Sunday. I had called ahead of time and coordinated the attorney visit with GySgt Blenis. He informed that it would not be a problem. When I arrived at Quantico, I was denied access. The DBS informed me that they were not aware of my planned visit. I want to avoid this from happening again in the future.

7) COL Malone: Can you confirm that COL Malone recommended that PFC Manning be removed from POI watch last week? I have been told that he did, but I want to verify this information.

Best,
David

David E. Coombs, Esq.
Law Office of David E. Coombs
45 North Main Street, 5th Floor
Fall River, MA 02720
Office: 1-800-588-4156
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From: Bouchard, Paul CPT USCENTCOM USF-I USCENTCOM-TDS/FICI-JA-TBO [paul.bouchard@iraq.centcom.mil]
Sent: Tuesday, February 01, 2011 5:48 AM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; coombs@armycourtmartialdefense.com
Cc: Matthew kernkes; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; Haberland,John CPT MIL USA
Subject: RE: Update
Signed By: paul.r.bouchard@us.army.mil

FYI

I completed the read on certificates today at Camp Liberty, Iraq.

V/R
CPT Paul Bouchard

From: Figueroa, Hector J CIV USA DCS G-2 [Hector.Figueroa1@us.army.mil]
Sent: Tuesday, February 01, 2011 6:37 AM
To: Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; Rains, Larry E Mr CIV USA DCS G-2
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; coombs@armycourtmartialdefense.com; Davis, Bonita N CIV USA DCS G-2; Taylor, Chalyndria R Ms CIV USA DCS G-2; McCoy, Clifford X CIV USA DCS G-2
Subject: RE: (U) RE: RE: INDOC (UNCLASSIFIED)
Signed By: HECTOR.FIGUEROA1@us.army.mil

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

SFC Carlile,

I have verified SCI eligibility for Mr. COOMBS. If he is still in Charlottesville, I can send the Indoctrination Assistance message to SSO NGIC today. I have a very reliable POC at NGIC who will take care of this matter.

Please provide me a good day-time number for Mr. Coombs so that when they receive my request, they can contact him directly to schedule his SCI indoctrination.

Standing by.

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, February 01, 2011 6:45 AM
To: 'paul.bouchard@iraq.centcom.mil'; 'coombs@armycourtmartialdefense.com'
Cc: Matthew kemkes; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; 'john.haberland@us.army.mil'
Subject: Re: Update

Thanks.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, February 01, 2011 6:46 AM
To: 'Hector.Figueroa1@us.army.mil'; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; 'larry.rains@us.army.mil'
Cc: 'coombs@armycourtmartialdefense.com'; 'Bonita.Davis1@us.army.mil'; 'Chalyndria.Taylor@us.army.mil'; 'Clifford.McCoy@us.army.mil'
Subject: Re: (U) RE: RE: INDOC (UNCLASSIFIED)

Thank you. CPT Bouchard was read-on today in theater.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, February 1, 2011 7:25 AM
To: Figueroa,Hector J CIV USA DCS G-2 <Hector.Figueroa1@us.army.mil>
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>; Davis,Bonita N CIV USA DCS G-2 <Bonita.Davis1@us.army.mil>; Taylor,Chalyndria R Ms CIV USA DCS G-2 <Chalyndria.Taylor@us.army.mil>; McCoy,Clifford X CIV USA DCS G-2 <Clifford.McCoy@us.army.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; Rains,Larry E Mr CIV USA DCS G-2 <larry.rains@us.army.mil>
Subject: [Suspected SPAM] RE: (U) RE: RE: INDOC (UNCLASSIFIED)

Mr. Figueroa,

I am in Charlottesville until 11 Feb. Please have your POC at NGIC contact me at 401-744-3007 to coordinate my indoctrination. Thank you.

Best,
David

David E. Coombs, Esq.
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45 North Main Street, 5th Floor
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From: Figueroa, Hector J CIV USA DCS G-2 [Hector.Figueroa1@us.army.mil]
Sent: Tuesday, February 01, 2011 7:28 AM
To: coombs@armycourtmartialdefense.com
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Davis, Bonita N CIV USA DCS G-2; Taylor, Chalyndria R Ms CIV USA DCS G-2; McCoy, Clifford X CIV USA DCS G-2; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; Rains, Larry E Mr CIV USA DCS G-2
Subject: RE: (U) RE: RE: INDOC (UNCLASSIFIED)
Signed By: HECTOR.FIGUEROA1@us.army.mil

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Mr. Coombs,

Will take care of this action right away.

Thank you.

From: Figueroa, Hector J CIV USA DCS G-2 [Hector.Figueroa1@us.army.mil]
Sent: Tuesday, February 01, 2011 9:12 AM
To: coombs@armycourtmartialdefense.com
Cc: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA; Davis, Bonita N CIV USA DCS G-2; Taylor, Chalyndria R Ms CIV USA DCS G-2; McCoy, Clifford X CIV USA DCS G-2; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; Rains, Larry E Mr CIV USA DCS G-2; Peeler, William J Mr CIV USA DCS G-2
Subject: RE: (U) RE: RE: INDOC (UNCLASSIFIED)
Signed By: HECTOR.FIGUEROA1@us.army.mil

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Mr. Coombs,

The message to SSO NGIC was just transmitted. You will be contacted by Ms. Lisa Scott to schedule your indoctrination.

Thank you.

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, February 1, 2011 12:09 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; Haberland,John CPT MIL USA <john.haberland@us.army.mil>; paul.bouchard@iraq.centcom.mil
Subject: Susan Manning's Visit

Ashden,

I also wanted to confirm the time and days for PFC Bradley's mother visit. She is planning on coming to see her son on 12 and 13 February and also on 19 and 20 February. Am I correct that her visiting hours will be from 1200 to 1500 on both days? Also, I wanted to make sure that the Brig knew she was coming and that there would be no issues with her getting on post.

Best,
David
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From: Haberland, John CPT MIL USA <john.haberland@us.army.mil>
Sent: Tuesday, February 1, 2011 12:12 PM
To: coombs@armycourtmartialdefense.com; Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Matthew kemkes <matthew.kemkes@us.army.mil>; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; paul.bouchard@iraq.centcom.mil
Subject: RE: Susan Manning's Visit (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,

I will coordinate with the Brig to determine the exact visiting times and make sure that they are aware that his mother will be visiting.

Very Respectfully,

CPT John B. Haberland
Regimental Judge Advocate
3rd U.S. Infantry Regiment (The Old Guard)
Office: (703) 696-3150
BB: (703) 244-5483
Building 242, Fort Myer, Virginia 22211
NIPR: john.haberland@conus.army.mil
SIPR: john.haberland@us.army.smil.mil (Please notify via NIPR)

From: coombs@armycourtmartialdefense.com
Sent: Tuesday, February 1, 2011 12:42 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Cc: Bonita.Davis1@us.army.mil; Chalyndria.Taylor@us.army.mil; Clifford.McCoy@us.army.mil; Hector.Figueroa1@us.army.mil; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA <Monica.Carlile@jfhqncr.northcom.mil>; larry.rains@us.army.mil
Subject: [Suspected SPAM] RE: (U) RE: RE: INDOC (UNCLASSIFIED)

Ashden,

I have scheduled my indoctrination on Thursday morning with NGIC. I will confirm when this is completed.

Best,
David

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Tuesday, February 01, 2011 1:16 PM
To: 'coombs@armycourtmartialdefense.com'
Cc: 'Bonita.Davis1@us.army.mil'; 'Chalyndria.Taylor@us.army.mil'; 'Clifford.McCoy@us.army.mil'; 'Hector.Figueroa1@us.army.mil'; Carlile, Monica L. SFC USA JFHQ-NCR/MDW SJA; 'larry.rains@us.army.mil'
Subject: Re: [Suspected SPAM] RE: (U) RE: RE: INDOC (UNCLASSIFIED)

Thank you.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, February 02, 2011 7:27 PM
To: coombs@armycourtmartialdefense.com
Subject: update

David,

Are you available tomorrow for me to give you an update and discuss some issues? Thanks.

Ashden

Ashden Fein

CPT, JA

Chief, Military Justice

U.S. Army Military District of Washington (MDW)

COMM: 202-685-4903 (DSN 325)

CELL: 202-450-8230

NIPR: ashden.fein@jfhqncr.northcom.mil

SIPR: ashden.fein@jfhqncr.northcom.smil.mil

Defense_Unclass_Email_0321

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, February 2, 2011 11:01 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: update

Ashden,

My day is booked solid. I could talk after 1730. Will that work for you?

Best,
David

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From: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA
Sent: Wednesday, February 02, 2011 11:05 PM
To: 'coombs@armycourtmartialdefense.com'
Subject: Re: update

After 1730 is always best. One short suspense FYI- we will likely receive the green light from the CA to restart the 706 tomorrow. This knowing you still need to sit down with your client prior to the 706 interviewing him.

Ashden Fein
CPT, JA
202-685-4903 (O)
202-450-8230 (C)

From: coombs@armycourtmartialdefense.com
Sent: Wednesday, February 2, 2011 11:11 PM
To: Fein, Ashden CPT USA JFHQ-NCR/MDW SJA <Ashden.Fein@jfhqncr.northcom.mil>
Subject: RE: update

Sounds good. Call me anytime after 1730 at 401-744-3007.

Best,
David

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INSTRUCTIONS FOR PREPARING AND ARRANGING RECORD OF TRIAL

USE OF FORM - Use this form and MCM, 1984, Appendix 14, will be used by the trial counsel and the reporter as a guide to the preparation of the record of trial in general and special court-martial cases in which a verbatim record is prepared. Air Force uses this form and departmental instructions as a guide to the preparation of the record of trial in general and special court-martial cases in which a summarized record is authorized. Army and Navy use DD Form 491 for records of trial in general and special court-martial cases in which a summarized record is authorized. Inapplicable words of the printed text will be deleted.

COPIES - See MCM, 1984, RCM 1103(g). The convening authority may direct the preparation of additional copies.

ARRANGEMENT - When forwarded to the appropriate Judge Advocate General or for judge advocate review pursuant to Article 64(a), the record will be arranged and bound with allied papers in the sequence indicated below. Trial counsel is responsible for arranging the record as indicated, except that items 6, 7, and 15e will be inserted by the convening or reviewing authority, as appropriate, and items 10 and 14 will be inserted by either trial counsel or the convening or reviewing authority, whichever has custody of them.

1. Front cover and inside front cover (chronology sheet) of DD Form 490.

2. Judge advocate's review pursuant to Article 64(a), if any.

3. Request of accused for appellate defense counsel, or waiver/withdrawal of appellate rights, if applicable.

4. Briefs of counsel submitted after trial, if any (Article 38(c)).

5. DD Form 494, "Court-Martial Data Sheet."

6. Court-martial orders promulgating the result of trial as to each accused, in 10 copies when the record is verbatim and in 4 copies when it is summarized.

7. When required, signed recommendation of staff judge advocate or legal officer, in duplicate, together with all clemency papers, including clemency recommendations by court members.

8. Matters submitted by the accused pursuant to Article 60 (MCM, 1984, RCM 1105).

9. DD Form 458, "Charge Sheet" (unless included at the point of arraignment in the record).

10. Congressional inquiries and replies, if any.

11. DD Form 457, "Investigating Officer's Report," pursuant to Article 32, if such investigation was conducted, followed by any other papers which accompanied the charges when referred for trial, unless included in the record of trial proper.

12. Advice of staff judge advocate or legal officer, when prepared pursuant to Article 34 or otherwise.

13. Requests by counsel and action of the convening authority taken thereon (e.g., requests concerning delay, witnesses and depositions).

14. Records of former trials.

15. Record of trial in the following order:

a. Errata sheet, if any.

b. Index sheet with reverse side containing receipt of accused or defense counsel for copy of record or certificate in lieu of receipt.

c. Record of proceedings in court, including Article 39(a) sessions, if any.

d. Authentication sheet, followed by certificate of correction, if any.

e. Action of convening authority and, if appropriate, action of officer exercising general court-martial jurisdiction.

f. Exhibits admitted in evidence.

g. Exhibits not received in evidence. The page of the record of trial where each exhibit was offered and rejected will be noted on the front of each exhibit.

h. Appellate exhibits, such as proposed instructions, written offers of proof or preliminary evidence (real or documentary), and briefs of counsel submitted at trial.